The War and Humanity

James M. Beck

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By James M. Beck

The Evidence in the Case

The War and Humanity

PROCLAMATION

Le Tribunal du Conseil de Guerre Impérial Allemand siégant à Bruxelles a prononcé les condamnations suivantes :

Sont condamnés à mort pour trahison en bande organisée :

Edith CAVELL, Institutrice à Bruxelles.

Philippe BANCQ, Architecte à Bruxelles.

Jeanne de BELLEVILLE, de Montignies.

Louise THUILIEZ, Professeur à Lille.

Louis SEVERIN, Pharmacien à Bruxelles.

Albert LIBIEZ, Avocat à Mons.

Pour le même motif, ont été condamnés à quinze ans de travaux forcés :

Hermann CAPIAU, Ingénieur à Wasmes. — Ada BODART, à Bruxelles. — Georges DERVEAU, Pharmacien à Pâturages. — Mary de CROY, à Bellignies.

Dans sa même séance, le Conseil de Guerre a prononcé contre dix-sept autres accusés de trahison envers les Armées Impériales, des condamnations de travaux forcés et de prison variant entre deux ans et huit ans.

En ce qui concerne BANCQ et Edith CAVELL, le jugement a déjà reçu pleine exécution.

Le Général Gouverneur de Bruxelles porte ces faits à la connaissance du public pour qu'ils servent d'avertissement.

Bruxelles le 12 Octobre 1915

Le Gouverneur de la Ville,

Général VON BISSING

The War and Humanity

A Further Discussion of the Ethics of the World War and the Attitude and Duty of the United States

Third Edition, Revised, with Additional Material

By
James M. Beck, LL.D.
Author of "The Evidence in the Case"

With a Foreword by
Theodore Roosevelt

"Methinks I see in my mind a noble and puissant nation, rousing herself, like a strong man after sleep, and shaking her invincible locks."—*Milton.*

28149

G. P. Putnam's Sons
New York and London
The Knickerbocker Press
1917

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Sixth Impression

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1917

The Knickerbocker Press, New York

To

MY DEAR WIFE,

TO WHOM MY DEBT IS INFINITE,

THIS BOOK IS DEDICATED

FOREWORD

I MOST earnestly hope that there will be a wide circulation of Mr. Beck's *War and Humanity*. It is the kind of a book which every self-respecting American, who loves his country, should read. I believe that its circulation throughout our whole land would have a very real effect in educating public opinion as to the duty of America in this great world crisis. Surely, we cannot permanently rest content, unless we prepare ourselves both in soul and in body to do our duty as a nation in the world. There must be thorough military and industrial preparedness in this country; there must be an aroused and quickened patriotism, and a stern determination to see that the rights of our country, and its citizens, are everywhere respected; and there must be a keen sense of inter-

national duty, and of the shamefulness of neglecting this duty.

Such is the spirit Americans ought to possess, and this book of Mr. Beck's is a potent aid in the creation of such a spirit.

THEODORE ROOSEVELT.

INTRODUCTION

THE success of *The Evidence in the Case*[1] must be the author's justification, if any, in putting into this permanent form his subsequent contributions to the controversial history of the war. In a sense this book may be regarded as a sequel to his earlier discussion of the ethics of the present world crisis.

The leading *motif* of *The Evidence in the Case* was the moral obligation of nations to justify their acts in the forum of the general conscience of mankind, and as the present volume deals with subsequent developments of the World War, which raise the same questions of moral responsibility in the Supreme Court of Civilization, the connection between the two books is obvious. While a portion of this book discusses the attitude and duty of the United States in this world crisis,

[1] "The Evidence in the Case. A Discussion of the Moral Responsibility for the War of 1914, as Disclosed by the Diplomatic Records." G. P. Putnam's Sons, New York and London. (First Edition, November, 1914. Thirteenth Printing, January, 1917. French Edition, *La Preuve*, Paris, Cres et Cie. German Edition, *Der Tatbestand*, Lausanne Press, Payot et Cie.)

yet, as its title indicates, its theme is much broader and its appeal is not so much to the national as the universal conscience.

"The Distress of Nations" deals with the world-old problem of war and peace and briefly discusses some of the many suggested remedies and their obvious limitations.

"Where There Is No Vision" analyses the historic causes and psychological reasons for the neutrality of America and their bearing upon its future influence as a Master State of the world.

"The Foreign Policy of George Washington" considers one of the suggested reasons for the failure of the United States to intervene more speedily in this war in behalf of outraged humanity.

"The Submarine Controversy" discusses the limitations, which the conscience of mankind has imposed upon belligerents in the exercise of force.

"Belgium and the Cavell Tragedy" suggests the rights of non-combatants in conquered territory, and illustrates them by a recital of the most pitiful tragedy of the war.

"America and the Allies" seeks to acquit the American people of that complete indifference to the moral aspects of the war, which had been so erroneously attributed to them by foreign critics.

"The Vision of France" finally suggests the spirit, in which France has met and every nation should meet, the problems of the present crisis in civilization.

These chapters represent in an amplified and more literary form the substance of addresses which the author, as his contribution to the public opinion of the time, made in the cities of Toronto, New York, Baltimore, Philadelphia, Boston, Montreal, London, and Paris. The first edition appeared in November, 1916, and two editions were speedily exhausted.

Early in January, 1917, the author undertook to revise these addresses by incorporating a reference to the peace proposals of December, 1916. While this revised edition was in press, the prolonged controversy between Germany and the United States, which is hereinafter discussed under the title "The Submarine Controversy" (pp. 151–229), was brought to a crisis by Germany's withdrawal of its almost worthless submarine pledges and by President Wilson's severance of diplomatic relations between the United States and Germany. In that revised edition it was therefore only practicable to make a very brief reference to these events, which had profoundly modified the attitude of the United

States and brought nearer to realization the inevitable end.

At the time that this second edition was offered to the public, it was still uncertain whether President Wilson would not continue to pursue his policy of neutrality, except as qualified by the passive belligerency of so-called "armed neutrality." The President gave no convincing indication of his ultimate purpose, except in so far as he directly disclaimed on February 26, 1917, any desire or purpose to recommend a declaration of war unless that course became inevitable.

Since this first revised edition appeared, the policy of the country has been happily determined by President Wilson's notable address on April 2, 1917, and the consequent declaration of war by Congress on April the 6th. This marks the definitive ending of one volume of American history and the beginning of another, and as this book, in discussing the ethical issues of the war, incidentally discusses the attitude of the United States, its entry into the war makes it possible for the author to discuss a completed chapter of its history. Henceforth the ethical problems of the war, so far as they relate to the United States, will concern the manner in which the United States prosecutes the war, and above all the influential

part it will play in the final peace negotiations, and if the author is ever tempted to discuss these subjects it will be in a new book.

I hope that my readers will bear constantly in mind that the incidental criticisms in this book—especially in the two chapters "Where There is No Vision" and "The Submarine Controversy"—of President Wilson's earlier policy of neutrality, were written before the severance of diplomatic relations with Germany and the recognition of a state of war. Criticisms that were true, when written of a policy of inaction, become inapplicable in respect to a policy of action. Other statements, such as the author's reference to the attitude of the Entente nations toward the United States, while equally true when written, must also be modified in the light of subsequent developments.

In the chapter "Where there is no Vision" I suggested that the impairment of America's prestige, due to its policy of neutrality, was

> not necessarily permanent and it is not too late for the United States to vindicate its position in Civilization as one of the master states of the world.

This possibility has become a reality and its invigorating results have already been felt in an

increased unification of the country and in the restored prestige already accorded to the United States as a master state of the world.

As the occasional criticisms of President Wilson's prior policies are no longer applicable, it may seem to some of my readers that reference to them is now invidious and could be profitably omitted on the ground that these questions are now only of academic interest. Such, however, is not the fact. History is a texture of past events, woven by the great Weaver "at the roaring loom of Time," and consistently with its great pattern, Truth, no thread can be omitted. To vary the metaphor, in the trial balance of History, the debits can never be academic. To strike a true balance, debits and credits must all be fairly stated.

To make these criticisms under any circumstances was naturally a distasteful, even though a necessary, task, but when an author essays the difficult and at times ungracious task of discussing history in its moral aspects, he must above all things be loyal to truth, and truth rises above all considerations of nationality. While "setting down naught in malice," he must also "extenuate nothing." Otherwise he puts into circulation base counterfeits of truth, of which too many pass current.

In such a sifting of the nations as is now in progress, it is best and wisest, even from the standpoint of patriotism, that the whole truth be stated. The oil of anointing, which was once supposed to sanctify the head of the monarch and give him infallibility, has not fallen upon the head of the President. The guarantees of free speech and a free press were intended to give to the public that opportunity for open discussion, in which a Republican form of government lives and moves and has its very being. If some Americans had not vigorously protested against a policy of barren neutrality in a supreme moral crisis of the world's history, the "very stones in the streets would have cried out against us." Germany is today in an abyss of disaster on account of a rigid censorship of that which Bismarck called "the reptile press," which has blinded a great people and driven them into a gulf of infinite suffering.

America will not learn the great lesson of this crisis unless its people fearlessly recognize the mistakes which have been committed in their name, and that the policy of "peace at any price," to which President Wilson, presumably from the highest motives and in a spirit of pacific idealism, consistently adhered for nearly

three years and until Germany affronted him and the American people by its cruel and insolent challenge, was a mistaken policy and nearly destroyed America's prestige in the commonwealth of nations. It failed to gain for the United States either the friendship or respect of a single nation. As the result has proven, it did not even have the merit of maintaining a real peace. From August the first, 1914, until April the sixth, 1917, the United States, at great sacrifice to its standing as a world Power, insistently cried "peace, peace," only to find at length that "there was no peace" and could be none as long as Germany was willing to affront the United States and all the world by its ruthless defiance of international decency.

This is written with full recognition of the vigour, with which President Wilson finally lead his country into the lists in defence of humanity and justice.

President Wilson finally faced the inevitable, and if in so doing he reversed a policy, which he had consistently pursued for more than two years and which this book has ventured to criticise, he showed in such reversal the greater moral courage.

His experience was not unlike that of Sir Edward Grey at the beginning of the world war. The

English Foreign Minister was also a pacifist of noble ideals. When Germany treacherously assaulted civilization, Sir Edward Grey could not quickly put by the pacific ideals of his lifetime, and for some days England hesitated on the verge of an abyss, for had England deserted France in its hour of trial, it is possible that the fate of the British Empire would have been sealed. Fortunately for civilization, Germany committed the stupendous blunder of invading Belgium, and this left to Sir Edward Grey, the unwearying friend of peace, no alternative except to commit his great Empire to the ordeal of battle. Men who saw him in those final days, saw tears in his eyes, as he beheld his pacific plans fall as a fragile house of cards.

Similarly President Wilson cherished from the beginning of the great conflict the persistent purpose to save his country for the "processes of peace" and to make it the mediator and not the participant in the world war. To do this, he deemed it necessary for a time to ignore the everlasting right and wrong of the struggle.

All who love America and who realize the part which it could and should play in the great Tomorrow, should by spoken word and printed speech do what in them lies to arouse the Amer-

ican spirit, a power which has never failed us in the past and which today is still instinct with immortal life. Only true leadership is needed.

This will explain the quotation from Milton's *Areopagitica* on the title-page. To America there remains a splendid destiny in this war-ridden world. All that the great Republic, whose instincts are still sound, needs is a leader with such a vision as Washington and Lincoln had. Already the nation has arisen to the clarion call of its President. The best blood of its youth has been freely offered as a sacrifice for past sins of omission. The year 1917 is destined to be for America its *annus mirabilis* and will hereafter be remembered as that of the "great awakening," as the two preceding years marked the "great infidelity" to our nation's highest ideals.

In the darkest hours of the preceding year, when America seemed to be stumbling towards an abyss of dishonour and disaster, I ventured to quote as a prophecy Milton's vision of a great commonwealth, and now the realization of that prophecy seems to be at hand.

"*Methinks I see in my mind a noble and puissant nation, rousing herself like a strong man after sleep, and shaking her invincible locks. Methinks I*

see her as an eagle mewing her mighty youth and kindling her undazzled eyes at the full midday beam; purging and unscaling her long-abused eyesight at the fountain itself of heavenly radiance."

The mind of the patriotic American shrinks from grasping the possibilities to his country if America should fail to realize this vision of the great poet of democracy. As these lines are written, approximately ten million American men between the ages of 21 and 31, under the wise call of universal service, are registering their intention to serve their country in the great world war, a potential army greater than any country ever called to service at a given time.

The response to the call for either registration or enlistment is not enough. It is essential that America should go into this war with a feeling of heroic joy in again battling for the noblest principles of liberty and justice. To arouse this spirit, so essential to the successful prosecution of any war, is not an easy task. Weighed down by our traditions of isolation and taught for the last two years and more by the chosen leader of the American people that they had no just relation to or concern in the objects and causes of the world war, it is not unnatural that the great

masses of the American people, while loyally submitting to the call for service, are still bewildered as to their just relations to the stupendous conflict.

The very soul of America is to be tested. For half a century it has known no conflict of any magnitude. In the meantime it has grown rich beyond the dream of avarice. Its great wealth has been estimated by the amazing total of $250,000,000,000. Its annual income is greater than the entire wealth of the country when Lincoln issued his call to arms in April, 1861. Its position is that of the husbandman, referred to by the great Teacher, whose fields had yielded such superabundant crops that he tore down his grainaries to build larger barns to store the surplus product and then complacently said to himself: "Take thine ease. Eat, drink, and be merry."

It was that night that the Lord of the husbandman said: "This night thy soul shall be required of thee."

At this hour the soul of America is about to be tested by the willingness and heroic joy with which it enters into the noblest and most vital struggle ever fought for the basic principles of Civilization.

America has hitherto never failed at the end.

Its stumbling and slowness are the characteristics of a democracy. It has been handicapped by obsolete traditions and its very soul poisoned by false teachings. Nevertheless the author, as one who loves his country, cherishes the belief that America, as an eagle, will "mew her mighty youth" and "kindle her undazzled eyes at the full midday beam" and that she will, a very "noble and puissant nation," rouse herself like a strong man after sleep and will thus realize a greater and nobler democratic commonwealth than even the sublime vision of Milton could dream of in his most inspired fancy.

JAMES M. BECK.

NEW YORK, June 5, 1917.

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I

"THE DISTRESS OF NATIONS"

"*Upon the earth distress of nations with perplexity; the sea and the waves roaring; men's hearts failing them for fear and for looking after those things which are coming on the earth.*"—Luke xxi, 25, 26.

I

"THE DISTRESS OF NATIONS"

"Upon the earth distress of nations with perplexity; the sea and the waves roaring; men's hearts failing them for fear, and for looking after those things which are coming on the earth." Luke XXI, 25, 26.

WAR is the most wondrous and ghastly phenomenon of human life. Through all the ages, it has been the supreme agony and travail of humanity. Old as the world, continuous as its history, the problem of a just and durable peace is as vital today and pressing for decision as when it was first said of old, "Cain, Cain, where is thy brother?"

Although over nineteen centuries have passed away since His coming, whom the suffrages of uncounted millions have given the exalted title of "Prince of Peace," yet peace on earth seems still as insubstantial as a rainbow, a bow of promise perhaps, but still only an evanescent, insubstantial rainbow, formed by the ever brightening rays of justice shining through the tears of human pity. Indeed, the great Teacher foresaw that wars and

rumours of war would trouble men long after His coming. He predicted that such things "must first come to pass," for "nation shall rise against nation and kingdom against kingdom." He foretold that upon the earth there would be long after His advent "distress of nations with perplexity, . . . men's hearts failing them for fear and for looking after those things which are coming on the earth."

His portentous prophecy has been fulfilled to the letter, and the history of the intervening centuries has been written in blood. The triumphal car of civilization has been a war chariot, rolling like that of Juggernaut over the innumerable necks of the slain. Down the vista of the centuries for ever marches that ghostly army, of which the Abbé Perreyve wrote:

> Unseen by the corporal eyes, but too clearly visible to the mind's eye, the great army of the dead, the abandoned, the forgotten, the army of cruel tortures and prolonged infirmities, which pursues its fatal march behind what we call glory.

If Nature did not mercifully remove the dead débris of war, as she consumes from year to year the dead leaves of autumn, no circle in Dante's Inferno would be comparable in horror to this blood-stained earth. Rarely, perhaps never, in

two thousand years has the temple of Janus been completely closed.

What is sadder still, the horrors of war, far from lessening with the progress of the centuries, seem only to increase in their frightful intensity as the sovereign reason of man multiplies his infinite capacity for destruction.

It is true that the code of war was, until the beginning of the present struggle, far more humane and enlightened in the twentieth century than in the first; and yet the twentieth century has witnessed a retrogression to primitive savagery in the disregard by one group of combatants of those humane principles, which had been evolved in modern times and which sought to restrict the horrors of war, so far as humanly possible, to combatants only.

The sinking of the *Lusitania* was unthinkable at the beginning of the war. Today, it has become by repetition merely a commonplace of almost idle diplomatic controversy. Even if the code of war had still preserved the spirit of humanity, which had marked the natural progress of mankind in the slow progress of the centuries, yet the horrors of war would still have been so greatly multiplied by man's mastery of nature and the infinite possibilities of chemistry as to far tran-

scend in horror all that has gone before. Civilization has been stupefied by the spectacle of wholesale death inflicted with cataclysmic violence.

Formerly, the maximum of military preparation was reached by an army of 700,000 men, the Grand Army of Napoleon. Today the combatants are numbered by the millions, and daily battles between armies equal in size to that mighty host, with which Napoleon crossed the Niemen, are dismissed with a brief paragraph in the daily communique. Formerly, the longest battle did not last a week. Today (September, 1916), after two hundred days of continuous conflict day and night, a battle still rages at the eastern gateway of France, in which over nine hundred thousand men have been either killed, wounded, or captured, and which in its stupendous horror has never had a parallel since the world began. In five days Brousiloff captured more Austrians than Napoleon commanded men at Waterloo, and yet this crushing advance is dismissed by a half column in the daily press. In the sixteen principal battles of the eighteenth century less men fell than have already fallen at Verdun, while the forty-six greatest battles of the nineteenth century, including Austerlitz, Borodino, Leipzig, Waterloo, and Gettysburg, reaped a smaller

harvest of death than the admitted losses of Germany in the present war of men killed outright in action. For all this we have one great compensation, that never in all the tide of time did the godlike heroism of man reach greater heights of sublimity.

The conditions of battle have likewise radically changed for the worse. The heavens above and the waters under the earth are now the battlegrounds for the nations. Men fight today as birds in the air, as fish in the sea, as moles in the ground, and they easily surpass all these lesser animals, for as Pegoud, the great French aviator, once said: "The birds do not know how to fly."

Any one of the larger battleships, which recently took part in the titanic struggle off the coast of Denmark, could have put to flight with their modern armament the combined Spanish, French, and English fleets at Trafalgar like a hawk in a dovecote, and yet a single torpedo suffices to destroy in the twinkling of an eye one of these Leviathans of the deep. The "pomp, pride, and circumstance of glorious war" are gone, like Othello's occupation. During the summer of 1916 the author was privileged to witness for three days the battle on the Somme as the guest of the British General Staff. Of the romantic glamour of

war he saw little, rarely hearing the roll of a drum, or seeing the waving of a flag. It was an industrial and mechanical war of stupendous dimensions. Thousands of men—each grimly doing his allotted task—were slowly blasting their adversaries out of seemingly impregnable positions. It was a veritable Inferno, in which the infinite faculty of man to do all and endure all was exercised beyond the power of imagination to describe.

The stupendous horror of this war is brought into greater relief when we recall the roseate dreams of perpetual peace that prevailed even on the eve of this titanic struggle.

This is the time of a great disillusion.

On the 23d of July, 1914, the world was apparently living in a state of profound peace. Never before was the prospect of a durable peace seemingly greater. To some extent in all nations an insistent cry had gone up from the very souls of the people for a better method of determining international controversies. Many enlightened statesmen were confidently of opinion that the process of international arbitration would abolish war; and more than one European state had accepted the offer of the United States to execute an agreement to determine all differences of opinion by arbitration, although they might seem

to involve in their nature even questions of national honour.

The railroad, the steamship, and the telegraph had apparently interwoven men of all nations into a unity of purpose, understanding, and interest, which it was hoped had created a sentiment of human solidarity that would make impossible and unnecessary the appeal to force. "The parliament of man and the federation of the world" seemed measurably in sight when the representatives of forty-four sovereign nations had twice met at the Hague and with a fair approach to unanimity had provided some machinery for the adjustment of international differences.

The storm of human passions, which marked every preceding century, seemed to be abating, and in the skies even conservative thinkers thought that they perceived the bow of promise. Closer relations between the manual toilers of leading nations seemed to give a promise that those who bear the largest part of the physical burden of the world would ensure its peace. Far above the discordant cries, which in preceding centuries had marked frenzied and maddened nations, those of us, who tried to attune our souls to the symphony of universal progress, thought we heard the nobler strains of increasing fraternity and good will. As

all moral progress is a slow evolution, like that of physical nature, many believed that the organism of the universal state was being slowly but surely evolved, even though yet in a very rudimentary and embryonic form.

This has been the dream of jurists and political philosophers in all time. It is not a modern conception. Indeed, when was it ever better stated than by the Spanish jurist, Juarez, who antedated Grotius, the so-called Father of International Law? This learned and advanced thinker said:

> The foundation of the law of Nations lies in this, that the human race, though divided into various peoples and kingdoms, has always a certain unity, which is not merely the unity of species, but is also political and moral; as is shown by the natural precept of mutual love and pity, which extends to all peoples, however foreign they may be to one another, and whatever may be their character or constitution. From which it follows that although any state, whether a republic or a kingdom, may be a community complete in itself, it is nevertheless a member of that whole, which constitutes the human race; for such a community is never so completely self-sufficing but that it requires some mutual help and intercourse with others, sometimes for the sake of some benefit to be obtained, but sometimes, too, from the moral necessity and craving, which are apparent from the very habits of mankind.

How modern is this lofty sentiment, spoken nearly four centuries ago, and yet how completely this generous conception of the solidarity of mankind is now negatived by the present anarchy of civilization!

Nor did the economic conditions which prevailed in 1914 suggest or cause this awful cataclysm.

Nearly all the civilized nations were growing from day to day more prosperous in the peaceful rivalry of commerce, most of all that nation, the homicidal mania of whose ruling caste precipitated this world-war. This appalling conflict, unlike its predecessors, the Napoleonic wars, did not have its original source, as in the days of the French Revolution, in a half-starved and half-crazed people, who were suffering from intolerable wrongs. In those quiet days of the early summer of 1914, universal peace seemed to "lie like a shaft of light across the land."

To all these expressions of generous idealism there came at intervals a dissenting note. Those who doubted, whether from despair of humanity or from disbelief in the value of peace, most frequently quoted the elder Moltke, when he pessimistically and menacingly said:

> Peace is only a dream, and not even a beautiful dream.

We know now that we were living in a fool's paradise. Mankind had made little, if any, advance towards peace, and could not, as long as there existed any powerful nation, which in its objects and policies believed in the supremacy of might over right. We now know in the bitterness of our souls that the retrogression to barbarism involved in war depends not upon the ideals of the nobler nations but upon the moral concepts of the least moral of nations. The result has been the "distress of nations," of which the Master spoke, and not the "good will among men" which heralded His coming. The true message of the angelic song on the first of Christmas eves was, accurately translated, not "good will to men" but "peace to men of good will." Peace to the pacific was the promise, but even in this qualified form, two thousand years of almost uninterrupted warfare justifies the belief that the message was the statement of an ideal, not then or now a reality. As George Eliot said of justice—and justice and peace are morally synonymous,—justice "is not without us as a fact, it is within us as a great yearning." The peace of the pacific must depend to a large extent upon the changed attitude of the bellicose. The chain of peace can never be stronger than its weakest link, for while it takes

two to make peace, it takes only one to make a quarrel.

History presents no more striking illustration of this discouraging fact than the present war, for nothing is clearer than that England, France, and Russia in 1914 earnestly strove for peace almost to the point of self-effacement and national humiliation, and that all their efforts to maintain the peace of the world proved abortive because Germany had determined, unless the rest of Europe submissively accepted its will, to precipitate the war. Almost in the twinkling of an eye, the Prussian Samson threw down the fair temple of civilization. That temple is today as the noble Cathedral of Rheims. Its skeleton remains, but its noble carvings and glorious stained-glass windows are gone forever. Civilization must now reconstruct its fallen temple as best it may, and the seemingly insoluble problem of such reconstruction is enough to appal the stoutest heart.

It had been confidently believed that wars, with the disappearance of autocratic government and the rising power of democracy, would be impossible. Lord Cromer in a recent article took occasion to say that the spirit of democracy does not make for peace. Is this true? Speaking generally, the democracy of any nation, in which

public opinion is controlling, is ordinarily but not invariably averse to an aggressive war. Their emotions, rarely their interests, make them bellicose. Indeed, in this is its weakness as a force for peace, for a democratic nation is generally unwilling to prepare for war, and its unpreparedness invites attack. France was not fully prepared in 1914, England (except at sea) wholly unprepared. Had it been otherwise, Germany might never have attacked. Lack of preparation made England hesitate at the critical moment and this encouraged Germany to strike the sudden and treacherous blow. While a democracy, ordinarily pacific, may thus invite war, it does not ordinarily provoke one.

This war was not caused by the democracy of any nation. It was a war primarily initiated by a few scheming and ambitious diplomats and rulers in Central Europe, and the peoples of the belligerent countries were given little time to consider the policy of war until the dread Rubicon had been hopelessly crossed. Certainly, the two great democracies of Europe, England and France, did not show any bellicose spirit in this crisis.

The imminent peril to France of Germany's aggressive war left no alternative for that brave people; and it is not surprising that with an unanimity of sentiment which is beyond praise, the

whole French nation rallied to their flag and have again vindicated, by superhuman courage and ability, their right to claim fellowship with the heroic States of universal history.

Nor can anyone justly impute to the democracy of England in this crisis an impetuous, bellicose spirit. If it made any mistake it was that it did not at once align itself with Russia and France when the menace of Prussian aggression first became unmistakable.

Germany had a great and militant democracy. It was the so-called socialistic party. Whatever may be its tenets as to internal government or economic theories, it represented in its ultimate aim the opposition to Kaiserism and militarism. Bismarck tried to strangle it as a serpent because he saw how dangerous its growth would be to the Hohenzollern dynasty. The Kaiser before the war attempted to proscribe the socialists as political outcasts. Nevertheless, the socialistic party grew in Germany until at the outbreak of the war it numbered over 4,000,000 of voters and was the largest single political body in Germany, possessing however no real governmental power in proportion to its numbers, for Germany's electoral system is a travesty on a government "by the people."

How then did this militant body of intellectual

socialists act when their country initiated this wanton struggle of aggression?

Its leading organ was *Vorwaerts*, and it had no illusions as to the nature of the struggle. Thus, on July 25th, two days after Austria's ultimatum to Servia, it editorially said that the "war fury, unrestrained by Austrian imperialism, is setting out to bring death and destruction to the whole of Europe." It condemned the provocation of the Austro-Hungarian Government and added that its demands upon Servia "are more brutal than have ever been put to an independent state in the world's history, and can only be intended deliberately to provoke war."

On July 29th it denounced the refusal of the German Foreign Office to accept England's proposition for mediation, and said that such refusal placed upon the German Government "the most awful responsibility before its own people, before the foreign nations, and before the forum of the world's history." It accurately diagnosed the origin of the war by stating "that the indications proved beyond doubt that the camarilla of war lords is working with absolutely unscrupulous means . . . to carry out their fearful designs to precipitate an international war, and to start a world-wide fire to devastate Europe."

Even after the declaration of martial law and partial mobilization, *Vorwaerts* on July 31st justified Russia in refusing to turn Servia over to Austria and again denounced the action of its own Government as "utterly without conscience."

No critic of Germany's policy has ever been more vigorous in its denunciation than the expressions I have quoted.

On July 29th, twenty-eight social democratic mass meetings were held in Berlin alone to denounce the war, and one of these is said to have been attended by 70,000 men.

The disappointing sequel must now be noted. On August 4th, nearly all of the members of the socialistic party, with the exception of about fifteen, completely wheeled about by voting for the first war credit and suddenly became partisans of the war. On the second war credit, voted on December 2d, the former leader of the socialists, Dr. Karl Liebknecht, alone voted "No," and in so doing publicly denounced the war and especially the violation of the neutrality of Belgium and Luxemburg. Since then, at every debate in the Reichstag, Liebknecht has consistently attempted to bring the truth to the attention of the German people.

It is not surprising that this brave leader of the

people is now under arrest on a charge of treason. When the records of this great war come to be written, the moral heroism of no one of any nation will shine more resplendently than that of Karl Liebknecht. He has in truth been among, if not the, "bravest of the brave." His voice, however, has been only as one crying in the wilderness. No one can question that the great mass of the German people, including the socialists, who at first denounced the war as an unspeakable crime, have since been swept away by racial hatred and have as yet exercised no appreciable influence for peace.

It must be said in candour that the average man of any country would probably do the same, for in times of excitement and passion, a democracy does not ordinarily prevent war. As long as unjust wars can at times be initiated by a limited group of responsible statesmen, the dependence upon democracy to prevent war cannot be very considerable, especially in countries where public opinion can be strangled even in times of peace and where popular government is more of a delusion than a reality. It is not reasonable to expect the moderating force of a democracy in a country where, as in Germany, a censored press can substitute any delusion for the truth. The German socialists probably accepted in the early days of

August, 1914, the inspired fiction of a wanton Russian attack, just as today many believe that Germany won a strategic victory at the Marne.

It was thought, at the beginning of this war, that the advance of civilization had increased the brotherhood of man by facilitating the communication of ideas and by making men of different nations and races better acquainted. When a man can talk by wireless telephone from Washington to Paris and be overheard by an eavesdropper in Honolulu, the world, for the purpose of intercommunication, is little more than a pin point; and if all that were needed for the preservation of peace was to enable men to communicate quickly with each other, the end of war as a problem would be in sight.

Unfortunately the increased intercommunication of men and their ability to come into closest contact in commerce and social life also brings with it the possibility of increased friction, especially in an age as neurotic as ours, where thoughts and impulses seem to be on a very hair trigger. A complex age is as uncertain as a sensitively organized individual.

Had the Austro-Servian dispute been developed in other times, when intercommunication was less easy, there would at least have been a cooling

time and there might never have been any war. But with the swift communication of the telegraph and cable, the diplomatic wrangle, which preceded the war, was practically as though the Czar, the Kaiser, King George, Sazanoff, Count Berchtold, Von Bethmann-Hollweg, Viviani, and Sir Edward Grey were in one room. And when men quarrel face to face and not at a discreet distance, we know how quickly the passions rise and how rapidly a quarrel may pass through all the stages referred to by Touchstone in *As You Like It.* This is precisely what happened in 1914. With the world in a state of profound peace on July 23d, there was within a week an exchange of rapid-fire telegrams between rulers and statesmen, and in the twinkling of an eye the world found itself wrapped in a universal flame because one group of disputants had resolved to impose its will on the other nations or have recourse to war.

In this respect, the outlook for a millennial age of peace is blacker than ever before, for not only is the world now become a seething cauldron of hatred, but at least for a half century these hatreds will persist. This is not a trivial quarrel, which can be adjusted with mutual good-will. Its wounds are too deep. Never were they deeper. Over ravaged fields, desolated homes, and new-

made graves the men of the two groups of nations will gaze at each other for at least another generation with irreconcilable hatred. How then can their closer contact make for peace?

When the limited methods of locomotion and intercommunication hemmed each nation into a well-marked and detached territory, there was less friction because less contact, whereas today the facilities of intercommunication have undoubtedly developed a social friction which, being accentuated by pressing commercial rivalry, result in combustible material which any powerful pyromaniac can set aflame.

Some have believed that the increased facilities of intelligence would necessarily promote a higher morality, which in itself would be an effective check upon war. This was the view of Lord Haldane and was expanded by him in his notable address at Montreal in 1913 to the American Bar Association into a profound and noble oration. He spoke of a higher law, which had its sanction and effective power in conscience and to which he gave the German name "*sittlichkeit.*" He quoted Prof. Jhering of Göttingen in saying that it was the merit of the German language to have been the only one to find a really distinctive and scientific expression for this higher

morality of man. It seems a pity that if the peculiar genius of the German language alone could coin the expression, the same genius could not have applied the principles of "*sittlichkeit*" to Germany's conduct of the war.

"*Sittlichkeit,*" as defined by Lord Haldane, was that system of habitual or customary conduct, ethical rather than legal, which embraces all of those obligations of the citizens which it is bad form to disregard, or, as defined by Fichte, it is those principles of conduct which arise out of the "hidden and uniform ground of action which we assume to be present in the man, whose action is not deflected and from which we can certainly predict what he will do."

In other words, translating Fichte's ponderous philosophizing into plain English, "*sittlichkeit*" is character—an ethical habit which arises not so much from conscious volition in the individual as from the instinctive promptings of the inner nature.

If the mere increase of intelligence promoted a higher character of "*sittlichkeit,*" as thus defined, we would naturally have expected that Germany, as the most systematically instructed and in some respects profoundly learned nation in the world, would in this war, not merely have conformed to

those existing usages, which a more humane civilization had laboriously developed, but would have even surpassed its opponents in the observance of the higher chivalry. "*Sittlichkeit*" has chiefly served to corrupt the intellectual integrity of the foremost scholars and philosophers of Germany in leading them to condone offences that are beyond condonation.

The trouble with "*sittlichkeit*" as a remedy for war is the different conceptions of "*sittlichkeit*" which prevail in different nations. Indeed, the same nation may have a different kind of "*sittlichkeit*" for different occasions. Turkey's "*sittlichkeit*" towards Armenia is very different from its martial methods towards France and England, for I have heard many English officers testify that "the Turk fights like a gentleman."

When the war is over and the so-called processes of peace begin, I have little confidence that through any intellectual process Prussian militarists can ever be persuaded that any act of theirs in the present war was not in accord with the higher "*sittlichkeit*." In this respect Prussian psychology has been a revelation to the world. To sink a *Lusitania*, shoot an Edith Cavell, and commit a new wholesale "rape of the Sabines," as at Lille, seems to these military martinets so

natural that they cannot understand the indignation of the world. The German theorist is the "wisest fool in Christendom."

This suggests one of the most interesting and important questions which the problem of the coming peace will present.

What is to be done with the responsible rulers, statesmen, generals, and admirals who have in this war violated the proprieties of civilization and the rules of warfare?

In other wars, where the chivalry of battle has been reasonably observed, there has been in the attitude of the victor to the vanquished a fine magnanimity in the hour of victory. Washington refused to accept the sword of Cornwallis and Grant returned that of Lee to the great Southern chieftain and insisted that his impoverished Southern soldiers should have their horses to enable them to till their farms. When George Washington died only a few years after the close of the Revolution, the flags of English warships were put at half mast, and no finer tributes were paid to the great soldier than those that came from England.

Shall Count Berchtold, who gave solemn assurances to Europe of a most conciliatory treatment of Servia and then issued the most brutal

ultimatum known to history, escape some punishment?

Shall von Tirpitz, who initiated the war on non-combatants and at whose order the *Lusitania* was sunk, be hereafter regarded among those honourably vanquished?

Shall Zauberschweig who ordered, and von Bissing who permitted, Edith Cavell to be shot in the watches of the night after their subordinates had given a solemn assurance to the representative of the United States that it would be advised before any action was taken, be treated in defeat as honourable soldiers?

Shall those Prussian generals, who marched Belgian women and children before their soldiers, ruthlessly shot innocent hostages, condemned thousands of French women at Lille to degrading peonage, and tried to coerce an unoffending nation by the unspeakable policy of frightfulness, be allowed to go "unwhipped of justice"?

Shall the Kaiser, who outraged the fundamental principles of civilization by violating, in the very teeth of his country's pledges, the neutrality of Belgium, be hereafter treated with the consideration due to the honourable ruler of a great people?

America, in solving the problems of corporate misrule, found that it was necessary to go behind

the fiction of the corporation and, by regarding guilt as personal, visit the condemnation of the law upon individuals who committed wrongs in the name of a corporation. The salutary effect of this policy was immediate and manifest.

When in this crisis civilization proceeds to judgment, shall not the Supreme Court of Civilization sit as one of criminal assize and, if so, what punishment shall be inflicted upon these beribboned and much decorated criminals who have brought upon the world this unspeakable tragedy?

Will the fact that they may hereafter be visited with the execration of the wise and good of every nation, including their own people, be sufficient punishment?

Perhaps the last question answers the preceding questions, but I cannot think so. May it not be the imperative duty of civilization to make it a dangerous pastime hereafter for scheming diplomats and ambitious soldiers to set the world on fire?

The moral problem, however, is not as easy as the preceding questions would indicate. It must, however, be met, for on the occasion of the author's recent visit to France and England, he was deeply impressed with the fact that the publicists of both countries were very earnestly discussing the

question whether any terms of peace could be accepted from their enemies, which did not carry with them the right to exact suitable reparation from those enemy belligerents who have grossly violated the rules of war and the proprieties of civilized life.

The assassination of Captain Fryatt and, above all, the callous and cruel deportation of the women of Lille and other French cities occupied by the Germans, to work in the fields under Prussian bayonets, have proved the last straws, which are said to break even camels' backs. Public opinion has grown in this matter to such a pitch of intensity that Mr. Asquith felt moved to announce on the floor of Parliament, as a pledge to his infuriated nation, that at the proper time a reparation would be exacted other than the ordinary terms of peace.

In reply to a request of the London *Daily Telegraph* for an expression of my opinion in this matter, I made the following statement in its issue of August 19, 1916:

> The post-bellum punishment of atrocities presents another and very difficult problem. That they call aloud for summary reparation cannot be questioned by any just or sane man. But the punishment of individuals after a treaty of peace,

unless inflicted upon the clearest cause and under circumstances that exclude the possibility of the spirit of vindictive revenge, has this danger—that it sets a precedent which, if followed in future wars, may turn civilization into an unending vendetta. While this is true, the majesty of international law, which hitherto has mitigated the horrors of war, would be greatly impaired if the outrageous violations of the rules of war were condoned. In America we had a somewhat analogous problem in the misgovernment of our corporations. We found that men who, as individuals, were incapable of dishonesty, were yet indifferent to the dishonest practices of corporations with which they were connected, and of which they were beneficiaries. To punish the corporate entity did not meet the evil, and as a result the principle was established that in such cases guilt was personal, and that the sins of the corporations could be criminally visited upon those of its officers who were responsible for them, and who sought to mask themselves behind an artificial legal abstraction.

It is not surprising that many thoughtful and just men are asking whether this principle of personal guilt should not be visited upon the oppressive acts of ruthless soldiers who acted for a nation. But the task of ascertaining the principles of such criminal liability and the facts in each case in a stupendous war of this character seems to me to present appalling difficulties. I venture the suggestion that, when the war is ended, the Allied nations should select five distinguished jurists, and that four neutral nations—say, Holland, Switzerland, Spain, and the United States—should each be

asked to name a jurist, and that the body thus formed should consider primarily what offences of the Central Powers are of such a heinous character as to justify post-bellum punitive action against the individuals, and under what circumstances and in what manner such punitive measures could be taken. These principles should be as generous as possible to the vanquished and should be consistent with the highest interests of civilization, which imperatively require that the spirit of generosity to the vanquished, as individuals, should be observed, lest civilization should retrograde to the barbarity of those former ages when the vanquished were pitilessly punished. Lincoln's immortal phrase, "with malice towards none and with charity for all," may well be remembered in this connection. No instance in the war more strikingly raises the question thus indicated than the sinking of the *Lusitania*, which was a deliberate and wanton sacrifice of non-combatants, and especially of women and children. To condone this would be a lasting mischief to the best interests of human society, and the responsibility of what we call in America "the man higher up" is in this case perfectly clear.

These are suggestions, and by no means conclusions, for the whole question seems to me to be one of the most perplexing that was ever offered to the publicists and jurists of the world. All that I intended to note was the growing feeling, which I have observed both in England and France, that this great question shall be decided in favour of punitive action; the tendency is unmistakable, and it seems to me most important that the publicists

and jurists of the world should give prompt and careful consideration to the great moral problem involved.

In further explanation of my meaning, I may add that I did not ignore the possibility that the Governments of Holland, Switzerland, Spain, and the United States would probably be disinclined to be represented in such an international criminal tribunal, but this difficulty could readily be overcome, in the event of a refusal of those Governments to participate officially, by the Allies inviting, from each of the four nations in question or from other neutral nations, a distinguished jurist.

It will be noted that my suggestion contemplates that the Allied nations should have a majority of the tribunal and this for the obvious reason that the matter is primarily their concern, for when the Allies successfully conclude the war, with such an infinite sacrifice of life and treasure, it should and will be their right to determine for themselves and in their own way the manner and character of the peace. Neutral nations have for many reasons refused to participate in that which was in its essence a civil war of civilization. This non-participation may in many cases be justified and in all cases is not without some explanation; but

the failure to participate makes it unwise that any neutral nation should intervene, either during the war or after its close, to suggest, much less dictate, the nature of the peace. It will do no possible good. It may do infinite harm.

For this reason, any international tribunal, which determines the exceedingly difficult moral question which I am discussing, should control the decision, as such decision would necessarily be a part of any terms of peace.

The advantage of having neutral judges on such a tribunal is that it would give great moral weight to any decision that might be reached. Remembering that the whole conscience of civilization opposes punitive action against individuals, except under circumstances that imperatively require it, it is not likely that a majority of the proposed tribunal would recommend any specific action, if two or more neutral judges were in doubt as to its wisdom and justice. Certainly the concurrence of the neutral judges in any course that might be adopted would go far to commend such punitive action to the conscience of mankind.

As illustrating the best British sentiment on this question, I may quote the editorial comment of the *Telegraph* upon my interview:

Obviously we are here face to face with a problem of great magnitude as well as complexity. When we have to deal with malefactors such as those who are responsible for the sinking of the *Lusitania* and the murders of Sister Cavell and Captain Fryatt, the natural human impulse is to demand the severest punishment which it is in our power to inflict. The feeling of bitter and unquenchable indignation is so strong in this country that we have already heard the Prime Minister stating in the most explicit terms in the House of Commons the determination of the British Government to act in conjunction with our Allies in exacting the severest penalty. The form of penalty is, of course, another matter, and here there is room for wide diversity of opinion. We take it, however, that the British nation as a whole has made up its mind on the main point, and that nothing will alter its fixed determination. In a certain sense we do not hesitate to consider ourselves the champions of a high moral law which has been outraged. European civilization and future peace would alike be impossible if it were once conceded that crimes of this magnitude and atrocity were allowed to go unpunished. "But the punishment of individuals," says Mr. Beck, "unless inflicted upon the clearest cause and under circumstances that exclude the spirit of vindictive revenge, sets a precedent which, if followed in future wars, may turn civilization into an unending vendetta." That is very true, and we certainly should not lose sight of this point. Men who claim to vindicate the majesty of morality and law must act in the spirit of their claim, and must not be savage executioners or perpetuate bad examples.

How, then, are we to see our way clear between these two opposite principles—reparation for cruel injuries and avoidance of purely vindictive vengeance? Here Mr. Beck's suggestion is very interesting and valuable.

We do not know how far it would be possible to create such a body of lawyers, or whether, indeed, it would be wise to leave the issue to lawyers alone without including both statesmen and soldiers. But the value of Mr. Beck's contribution to the subject lies in the fact that he sees clearly the two contrasted policies between which in some fashion or other we have to steer our way. We must not allow the guilty to escape; but we must not be bitter in our revenge. So far as we know anything about our countrymen, they certainly are not vindictive by nature. They are more likely to err by leniency than by a pitiless severity. Perhaps for this very reason it is the more necessary to lay down in the clearest possible fashion, and, indeed, to bring the whole world to witness, that we intend to exact full and complete reparation. We shall not depart from Lincoln's principles—"with malice towards none and with charity for all." But there come crises in history when a condonation of past offences is nothing more nor less than moral weakness, and when inefficiency in exacting punishment becomes a serious offence against the great laws which guide all human intercourse.

Undoubtedly the development of means of destruction serves to some extent to prevent war and it is probably true that the war would have been

precipitated long since by Prussia but for the appalling possibilities of such a struggle, which caused even the callous Prussian militarists to pause. Prince Bismarck once stated that the next war between France and Germany would be of exceptional ferocity, and, fittingly borrowing a figure from the shambles, he said that on the part of the victor it would be a case of "bleeding white." This ghastly metaphor relates to the habit of butchers drawing the last drop of blood from certain kinds of cattle to make their flesh white.

The world has since realized this cold-blooded prediction of Bismarck, made in confident assurance that it would be France which would be "bled white" under the butcher's knife. If the full horrors of this war had been realized by the statesmen and soldiers of Vienna and Berlin in July, 1914, and especially how great a part of such suffering their nations would sustain, it is doubtful whether they would have set on fire the stately fabric of civilization.

The world has learned the most awful lesson in its experience and it is probable that wars in future will not be lightly entered into in view of such appalling consequences. But the preservation of a peace that is based upon fear cannot be either

durable or just, for such a peace would generally mean the acquiescence of weaker powers in the demands, often unjust, of stronger powers.

Before the war, it was believed that the greatest panacea for the admitted evil of war was international arbitration. Enlightened statesmen had faith in it, which in the light of recent events has proved to be somewhat misplaced. Undoubtedly between nations which are reasonably pacific in their purposes and desire nothing that is not just, international arbitration is an effective method of adjusting disputes. But it can have no efficacy where one of two contending nations or groups of nations has no desire to be just. No individual or nation will ever arbitrate a question where he or it realizes that the antagonist is attempting to inflict upon him a wanton and deliberate wrong.

The great truth of this war, and the great limitation of the policy of international arbitration, is that war is not the worst evil that can befall men. Injustice is infinitely worse. Not every peace is, therefore, preferable to war. There can be peace with dishonour; and multiplied death is better than multiplied disgrace. Would it not be infinitely better that civilization should perish altogether rather than have injustice permanently enthroned through force?

Great as has been the evil of the love of war—and it has immeasurably cursed humanity and retarded its progress—yet it were infinitely worse if the abject fear of war should become the shield of injustice. While the goal of humanity should ever be justice through peace—and to make its path straight and smooth, mutual respect and fair dealing between nation and nation should ever be assiduously cultivated—yet if both are not immediately attainable, it is infinitely better to have justice through war than injustice through peace, for a peace, which deliberately sacrifices justice in a spirit of cowardice and enthrones wanton wrong, retards progress, and sins against the conscience of mankind. Of the policy of non-intervention under any circumstances, Ruskin has finely said that it "is as selfish and cruel as the worst frenzy of conquest, and differs from it only in being not only malignant but dastardly." In this saying of possibly the noblest ethical teacher of our age extreme American pacifists could profitably take a lesson.

Even the most sanguine advocate of international arbitration must distinguish between justiciable and non-justiciable causes and admit that the latter are beyond the scope of the remedy. Justiciable questions are generally those of a

minor character about which nations would not in any event go to war; while the non-justiciable questions are those as to which international arbitration is generally impotent to prevent a conflict. Thus, the great historic policies of nations or the instinctive movements of races, slow and resistless as glaciers, could as little be checked by international agreement as the people of Chamouni could stay the onward course of the Mer de Glace.

Everyone should recognize the fact that international arbitration is of value in providing the procedure of peace, when and only when questions which admit of reasonable argument arise between nations and the disputants are equally desirous of ascertaining the justice of the issue. Lord Russell of Killowen, in an address which he made at the American Bar Association at Saratoga in 1896, after referring to the many instances of successful international arbitration in the nineteenth century, which then numbered nearly seventy-five, thus well defined the instances where such arbitration is a practicable remedy:

First, where the right in dispute depends upon the ascertainment of facts honestly in dispute; second, where, the facts being ascertained, the right depends upon the application of some

tangible principle of international law; third, where the dispute is one which may properly be adjusted by mutual concessions which do not involve vital interests or national honour.

No one will question the value of the remedy in such controversies; but it is in this very class of cases that the normal nation would in any event be indisposed to appeal to war. In such instances, the mediation of a mutually friendly power has proven as effective as a formal arbitration and is often much more readily resorted to.

The final suggestion of a league to enforce peace is the latest remedy for war and the one that is at the present time most prominently engaging the thoughts of enlightened citizens of different countries. It has had warm support both in England and the United States and undoubtedly has much to commend it. Its essential idea is that civilized nations shall by a league compel the resort to arbitration in all justiciable controversies.

The idea, like every idea connected with the world-old problem of war and peace, has little novelty. The idea of arbitration is at least as old as the Greek Republics. According to Thucydides, the King of Sparta pronounced all war unlawful if the attacked were willing "to answer for his acts before a tribunal of arbiters." Even

formal agreements to arbitrate are of very ancient origin, for Argos and Lacedæmon had a fifty-year treaty of alliance to arbitrate all differences. Even the idea of creating a new sovereign authority above otherwise sovereign nations, by compelling compliance with the decision of arbitrators is not new. William Penn, the great apostle of peace, in his work called *An Essay toward the Present and Future Peace of Europe*, suggested as his remedy for war an international court of arbitration, whose

> judgment should be made so binding that if any Government offers its case for decision and does not then abide by it, the other Governments parties to the tribunal shall compel it.

However, the novelty or lack of novelty of the proposed league of peace has nothing to do with its possible efficacy. Its fundamental principle is that all nations have a common interest in peace and should co-operate to maintain it by jointly compelling every nation to submit its grievances to the impartial decision of an international tribunal. It is in effect an attempt in a rudimentary form to confederate the world and to merge all existing nations for certain world-wide purposes of international justice in a new governmental entity. The

chief value of this movement is that it emphasizes, as it seems to me most desirable, the joint responsibility of all nations for the peace of the world.

The curse of civilization and one of the most fruitful causes of war is the selfish spirit of nationalism, which declines to accept a share in the common burdens of civilization. This is not altogether unnatural, for the horrors of war are so stupendous that any nation, which is not directly involved in a particular quarrel, is generally indisposed to share in its burdens and sufferings. Moreover, many wars have resulted from questions which wholly or at least largely concerned the belligerent nations, and as to which other nations may reasonably disclaim any direct responsibility. To have a world-war every time two nations may quarrel would be intolerable.

But the weakness of this spirit of detachment is that many quarrels, that arise between two nations, however superficially they may seem to be peculiar to them, often raise moral questions which vitally concern civilization. These moral issues undoubtedly differ in degree and it would be absurd to contend that any nation is bound to implicate itself in every quarrel involving some minor moral issue. But as civilization becomes more closely interwoven by steam and electricity, the issues

which are now of sufficient importance to result in war often involve a moral issue of general importance as to which no great power can wholly divest itself of responsibility.

Take, for example, the present war. In the case of England, it was the invasion of Belgium that brought it into the conflict; and the horrors of that invasion have been such that we are too apt to conclude that this was the cause of the war.

The refusal of Austria, instigated by Germany, to arbitrate a very simple question with Servia was the precipitating cause of the war. Servia had virtually yielded to every demand of Austria, many of which were plainly unreasonable; but it naturally refused, upon the broadest considerations both of sovereignty and universal justice, to agree that partisan Austrian officials should try the guilt or innocence of Servian citizens in the courts of Servia. But as this question of guilt and innocence ought to be determined by some dispassionate tribunal, it was willing to refer the question of the method of such trial to the Hague tribunal. Austria refused and commenced the war.

Every civilized nation had a direct and vital interest in this quarrel, and a consequent responsibility, for the action of the Central Powers was

the clearest disloyalty to civilization. It not merely attempted to crush the sovereignty of a smaller state but it refused to refer a perfectly justiciable question to the arbitrament of the Hague tribunal. Under the theory of the proposed league of peace, it would have been the duty of every party to the league to join with England, France, and Russia in supporting the claims of Servia and resisting the arrogant demands of Austria and Germany. Theoretically this is admirable and in the instance cited would undoubtedly have prevented the titanic war. If even England and the United States had promptly joined with France and Russia in demanding that Austria should arbitrate her remaining question with Servia, the world today would not be witnessing a very deluge of blood. And yet if nations, which were far detached from Servia and had little interest in Austro-Servian grievances as such, had attempted to implicate their several peoples in a war, whose superficial origin was so remote, they would have found considerable difficulty under present conditions of thought in securing the necessary support of their peoples. The world is, I fear, some ages behind such recognition of joint responsibility.

If, however, this sense of common responsibility can be developed in civilization; if every

nation shall feel that it must bear its share of the burden of preserving a just and durable peace, then war might be prevented in most controversies, for there is no nation, however great in power, that would challenge in physical conflict all the other powers of civilization. Indeed, if such co-operative effort could ever be secured, the coercion by armies and navies might not be necessary, for the league of nations could probably compel the offending nation to maintain peace with equal effectiveness by an economic boycott. No nation would wish to make war, if all the leading nations should desist from commercial and social intercourse with such nation. With the conscience of mankind developed to the point of common responsibility, disarmament is not a dream, but until then it is for the pacific states a dangerous mirage.

A further weakness of the League of Peace lies in the limitations of human nature; for I fear that if it were ever formed, it would share the fate of every government, which while theoretically united, is yet divided into political groups which may contend against each other not on ethical but material lines.

No government has yet been able to make all men think alike; and as they do not and

their standards of morality vary in character, and their vital interests are divergent, a tendency necessarily results to break into groups of kindred thoughts or interests.

I fear, therefore, that any league of peace, if it were seriously attempted after the conclusion of this war, would one day share the fate of its great predecessor, the Holy Alliance, which was founded at the end of the Napoleonic wars. I appreciate that the fatal defect of the Holy Alliance was that its principal purpose was to strangle democracy and that it thus warred against the freedom of civilization.

But even if the purpose of a league of peace were wholly altruistic, yet as different groups of nations have different views of policy and very different standards of morality, the tendency to break into groups would soon develop and would eventually lead to finesse, intrigue, and ultimate schism. We would thus have a civil war in civilization happening as suddenly as there were causes of quarrel large enough to split the nations of the league into constituent groups.

The proposed League of Peace is doing a useful work in educating the masses of each nation as to the common responsibility of all nations for the peace of the world, and the duty of each nation to

bear its share of the burden. In no country is this vitally important lesson more necessary than in the United States.

May not the cause of peace be best advanced by nations of kindred ideals and substantially identical interests co-operating in some form in defence of the peace of mankind? John Fiske, the American historian, forcefully said that perpetual peace would only be a dream until the pacific nations armed as well as the bellicose. This is a hard saying, but, so far as it goes, a true one. It, however, would not in itself secure perpetual peace unless the pacific nations, by which I mean the nations that desire justice, shall not only be armed but shall co-operate by deeds as well as words to maintain justice in civilization.

The best approach at the present time to an ultimate league of peace would be for nations, with common traditions, ideals, conceptions of morality and interests, to combine their strength to maintain justice in civilization.

One of the most distinguished educators and notable thinkers of the United States, Dr. Charles W. Eliot, formerly President of Harvard College, in an open letter to the Boston *Herald* on March 12, 1916, emphasized most vigorously this suggestion that the first step to the proposed league

of peace should be a preliminary grouping of the Powers which have ideals and interests in common. He appreciated, as any student of our history must appreciate, the great difficulty there would be in persuading the people of the United States to abandon even seemingly its policy of opposition to "entangling alliances." But the fact that a great student of our history, like Dr. Eliot, is willing to advocate such an alignment of the United States with the great progressive democracies of the world indicates that the prodigious upheaval of the present day is slowly tending to make the American nation realize that it cannot always stand alone but that some day it must recognize and co-operate in some form with its natural associates in the family of nations. This does not necessarily mean an entangling alliance, by which I assume the Fathers of the Republic meant an alliance for offence and defence without respect to the particular matter which might call for common action.

The American nation will never agree in my judgment to unite offensively and defensively with any nation irrespective of the particular contingency which calls for co-operative effort. England has shown that there is a clear distinction between an entangling alliance and an *entente*

cordiale. The former requires co-operative effort and leaves no discretion. The latter is a disposition rather than a contractual undertaking. The *entente cordiale* between England and France did not require England as matter of contractual obligation to align herself with France in the present war and England declined to do so at the beginning of the controversy. Nevertheless the friendly disposition toward France, as a great democracy of common aims and ideals, was of the most vital importance and impelled England to take part in the war far more effectually than any written covenant might have done.

Similarly the United States, without departing from its policy of opposition to entangling alliances, could recognize an *entente cordiale* with the two great democracies, which are now fighting so bravely for the principles of civilization. It could do this with reasonable effectiveness without the Siamese-twin-like ligature of a formal alliance and without any express covenant.

Dr. Eliot apparently contemplates a closer alliance but the wisdom of such alliance is at present academic, for the American people would never under present conditions of thought consent to it. Although thus academic, the reasons which

Dr. Eliot gives may justly appeal to the consideration of every thoughtful American as suggestive of future possibilities if at present not susceptible of practical realization. Let me quote one portion only of Dr. Eliot's noteworthy article:

> Permanent and fundamental interests of the United States would then be served by entering into the alliance above described; but since, to enter into such an alliance would involve assuming grave responsibilities in Europe as well as in America, and thus abandoning the traditional American policies of isolation and neutrality, it is necessary to discuss not only the interests of the American people, but their duties. The American liberties are derived historically from German, Dutch, English, and French sources. They represent not only struggles and sufferings on American soil, but long conflicts and immense sacrifices in western Europe to set up and strive toward the ideals of individual liberty, public justice, and human brotherhood. Americans recognize their immeasurable indebtedness to their own ancestors on this continent during any or all of the last three centuries, and are paying the indebtedness by preserving, improving, and passing down the ancestors' work. People who have read history from the wars of the Dutch Republic know how much America is indebted to Dutch struggles for liberty, to German Protestantism, to Magna Charta, and the English commonwealth, to Huguenot heroism and to French insistence, through many woes and reverses, on liberty, equality, and

fraternity. The American Republic pays these obligations in part by standing as a striking example of the strength, security, industrial efficiency, and prosperity which are attainable under a regime of large public and private liberty; and with this partial payment both America and Europe have heretofore been content. The present war has, however, revealed dangers for public liberty in Europe and the Americas which were not realized by the freer European nations or by the American peoples until 1914 and 1915. All persons who observe and reflect can now perceive that the immense military power of Germany, Austria-Hungary, and Turkey skilfully combined, scientifically directed by Prussia, and ruthlessly used, threatens the public liberties of the rest of Europe and indeed, of all the world. Under analogous circumstances, in private life any brave and generous man who felt under serious obligations to a neighbour would go to that neighbour's help if he saw him in dire distress; and the more acute the distress, and the greater the risk run in bringing help, the surer it would be that the brave debtor would take the risk and relieve the neighbour before it was too late. Therein he would be doing a plain duty, as well as obeying a generous impulse and serving his own highest interest. The same moral principles apply equally to national action.

Now that the long-prepared foreign policies, state objects, and military methods of Germany and Austria-Hungary have been made plain in the sight of all men, the neutral attitude of the United States is no longer satisfactory to Americans who give attention to the chief events of this

> sudden collapse of civilization. It is time for lovers of public liberty and justice to cease to be merely lookers-on at the prodigious catastrophe. It is time to express forcibly their convictions as to the side on which the right lies, and to make ready to take part in the terrible strife. It is time to feel and speak strongly about something more than the rights of neutrals. It is time for the deepest-rooted and strongest of republics to consider how it can best bring direct help to harassed and bleeding France and Great Britain. It is time for all the Americas to take sides openly with the European peoples who are now resisting military despotism and dangerous national ambitions, and to discharge their obligations to the liberty-loving generations of the past and the future.

The great lesson of this war for the United States has been this awakened sense of a greater responsibility to civilization than that of which it has hitherto dreamed. From the beginning a detached nation, the spirit of isolation has always powerfully influenced its policies. This detachment was accentuated by its severance from the mother empire and *seemingly* had an authority in the doctrine of Washington that we should avoid any entanglement in European politics.

As I shall venture to show later, Washington, however, only predicated this doctrine upon the conditions and during the period of our infancy.

Not only has that period of infancy passed, but the steamship, the railroad, the telegraph, and the cable have brought to an end the geographical detachment which existed in his day and which powerfully influenced his avowedly temporary policy of isolation. An ever increasing number of the American people are realizing this momentous change in our position in the family of nations. From the beginning of this great war, a vastly predominating majority have sympathized wholly and freely with the cause of the Allies, because they believed that cause was just and involved the vital and noblest interests of civilization.

At first, owing to this traditional policy of isolation, we did not feel that we had any higher duty than that of sympathy, a sympathy not merely academic but which soon became an attitude of benevolent neutrality. But this policy of isolation is not intelligible to our natural allies, the democracies of Europe. They cannot distinguish it from pure selfishness. While this book was in press, the author went to France and England, and in ten speeches, delivered in London, Glasgow, Manchester, and Paris, endeavoured to explain to his foreign audiences the difficulty of America in playing its part in this world struggle, and he had the satisfaction of knowing that his mission was not

wholly in vain, and that many leaders of thought in England and France realized more clearly the difficulty of America's position, and the good will to their cause of a majority of its people. One of these speeches is printed at the close of this volume, under the title of "America and the Allies," and those who read that address, and also my discussion of Washington's foreign policy (pp. 113–148) will find a fuller statement of the reasons why Dr. Eliot's idea of an *entente cordiale*, and the proposed world co-operation of the League of Peace, will find a serious obstacle in the United States, as long as it adheres to its traditional policy of isolation.

The future of civilization will depend in large measure upon the helpful and sympathetic co-operation of England and the United States, the two great divisions of the English-speaking race; and it would be an immeasurable calamity if any thing happens in this war which would in any way prevent or impair such co-operation.

It was well said by Lord Russell, of Killowen, that "we represent the great English-speaking community, the communities occupying a large space of the surface of the earth, combining at once territorial dominion, political influence, and intellectual force"—and the Lord Chief Justice

might have added, moral power—"greater than history records in the case of any other people."

Let us hope that at no distant day the three great democracies of civilization, England, France, and the United States, will work in unison for the peace of the world, and is it wholly a dream that to these may be added a fourth, the Republic of Germany? With its efficiency and discipline, Germany could readily become one of the most potent and noble democracies of the world. As such, despite all present bitterness, it would be welcomed into the full fellowship of the free nations.

II

"WHERE THERE IS NO VISION"

"*Where there is no vision, the people perish.*"—PROVERBS.

II

"WHERE THERE IS NO VISION"

FEW, if any, aspects of this great world crisis should give the thoughtful American greater concern than the altered attitude of other nations to his country. To provincial Americans the judgment of the world may be a matter of indifference, but its more thoughtful citizens cannot ignore the portentous possibilities involved in this changed attitude. Apart from the practical possibilities of the new situation, in which the United States so suddenly finds itself, is the sentimental consideration that the United States no longer enjoys the respect and goodwill of the world in the same ungrudging measure as heretofore.

Those who affect indifference in this matter may well be reminded that in the very foundation of the United States its great founders, who were assuredly men of vision, recognized in the very preamble to the Declaration of Independence that a "decent respect to the opinions of mankind"

imposed upon this, as any nation, moral responsibilities and practical obligations. A nation can say quite as truly as an individual:

"Good name in man and woman, dear my lord,
Is the immediate jewel of their souls.
Who steals my purse steals trash. 'Tis something; nothing.
'Twas mine; 'tis his; and has been slave to thousands.
But he that filches from me my good name
Robs me of that which not enriches him
And makes me poor indeed."

This altered attitude of foreign nations towards the United States can be discussed from three angles, namely, the respective attitudes of the central Powers, the Entente Powers, and the neutral States.

So far as the Teutonic powers are concerned, the friendship, which they once had for the United States, is wholly gone, and a feeling of intense hatred has taken its place. The peoples of those nations feel, and with some justification, that we prevented their early and complete triumph, with all its immeasurable consequences, by supplying to the Entente Powers the indispensable munitions of war. America thus helped to negative the enormous advantage which forty years of efficient

preparation had given Germany. It is possible that if the United States had not sent to England, France, and Russia more than a billion dollars' worth of war supplies, those nations might have failed in their great struggle through a fatal disparity in war equipment.

This possibility the Teutonic Empires have magnified into a certainty and have thus attributed the defeat of their aims and the colossal losses, which they have sustained, to the practical intervention of the United States through the utilization by the Allies of its vast industrial energies. In a purely technical sense, the United States has been neutral, but in a practical sense it has been a benevolent ally to England, France, and Russia in coming to their aid with its vast financial and industrial resources.

If this were not enough, our threat to sever diplomatic relations, if the Teutonic powers did not cease their unlawful submarine activities, would amply explain the unquestioned hostile attitude of the Central Powers to the United States, for while the saner German statesmen may have recognized, as has the German Chancellor, that the submarine campaign, owing to the efficiency of the British Navy, has not met expectations, yet the masses of the German people

believe that the economic strangulation of Germany, due to the British blockade, could be prevented, if Germany persisted in its submarine activities and succeeded in inflicting like suffering upon the civilian population of England.

"Gott straffe England—und Amerika" is now on the lips of thousands of Germans, and in the portentous years to come the United States will probably hear the echoes of a defeated and half-starving nation's curses.

So far as the neutral nations are concerned, they looked at the beginning of this struggle to the United States, as the greatest of the neutral nations, to voice as a leader the moral authority of civilization, and to a considerable extent they looked in vain. As a result the United States has fallen in their estimation from the high place which it once occupied as the land of exalted idealism.

The attitude of the Entente nations towards the United States is one of disappointment and disillusion. They do not feel hostile to the United States, but, on the contrary, for practical and sentimental reasons sincerely desire its friendship. They are eager to learn the American point of view and are quite willing to take into consideration any circumstances which explain the negative

attitude of the United States in the greatest moral crisis of civilization. They partly understand the historical reasons which made inevitable the American policy of neutrality, but they fail to understand why, when the very foundations of civilization are crumbling, the United States, with its traditional devotion to the loftiest humanitarianism, should remain silent and inactive. Undoubtedly they do not take sufficiently into account the extraordinary difficulties of America's position in this world crisis, nor do they appreciate at their full value either the extraordinary services which the United States has rendered to the cause of the Allies or the unselfish motives which permitted the industrial energies of America to be harnessed in their behalf.

Deeply impressed with this fact, the author went to England in the summer of 1916 and made nine addresses in England and one in Paris, in which he endeavoured to show that the growing resentment in England and France towards the United States was not justified. The reader will find in a later portion of this volume the principal address which the author made in England. The very favourable reception which this and similar addresses received in England and France, widely circulated as the first address was by the

British throughout their great Empire, evidences the sincere desire of the English and French peoples to understand the American point of view and to remain the friends of America.

The address, however, was avowedly only a partial statement. The author did not attempt to discuss, for reasons which he explained, the failure of the Wilson Administration to play a part in this world struggle commensurate with America's power and destiny. As von Bethmann-Hollweg's phrase "a scrap of paper" will be regarded for generations to come as expressing in a few words the spirit of Germany in provoking this war, similarly Mr. Wilson's most unfortunate phrase, "too proud to fight" will be accepted by posterity as expressing in a single phrase the policy of the Wilson Administration during its period of inaction.

The United States may thus miss its supreme opportunity to assume the moral leadership of the world, and it has paid the penalty of its inaction by an immeasurable impairment in its prestige as a great power. Fortunately this loss is not necessarily permanent and it is not too late for the United States to vindicate its position in civilization as one of the Master States of the world.

It would not be just to attribute this temporary

failure wholly to timid and unwise leadership. Undoubtedly the primary cause of America's inactive attitude is the fact that the Wilson Administration had neither vision nor courage. President Wilson, by profession a teacher and theorist, was neither by temperament nor experience in statecraft fitted to guide his nation in one of the stormiest crises of human history. He believed that he could dispose of any crisis by evading it with a phrase, much as Mr. Micawber rejoiced that another debt was paid when he gave his creditor a new note. But this timid, shifting, vacillating leadership would not have been tolerated unless it had had some sanction in public opinion, for the fact seems undeniable that while a very great majority of the American people did sympathize with the Allies and were willing to contribute to their cause as individuals, yet at no time did a majority dissent to the policy of inaction, which was believed by many to have its full justification in keeping the United States out of the war.

This attitude of the American people was not due, as so many foreign critics think, either to avarice, selfishness, or cowardice. None of these traits is characteristic of the American people. The love of gain exercised little, if any, influence upon their decision nor was this nation in

any respect inspired by the spirit of cowardice, even though its administrators did, when the moral authority of the Republic was mocked by disloyal aliens, suggest as an excuse for inaction the craven policy of "safety first." The reason lies much deeper and seems to me to be due to a certain lack of vision in the United States whenever its foreign relations are under consideration.

The fact is that America through more than a century of intensive development has remained so introspective that it is difficult for it to consider any question in its just relations to the rest of the world. From the beginning it has been an isolated nation. The whole course of its national life has been introspective and the consequent restriction of its political activities to purely domestic problems has tended to limit and impair its outward vision.

Let me explain this by a literary analogy. A great German poet, Freiligrath, once said that Germany was Hamlet, and I think it was Lessing who said that Hamlet was an Englishman born in Germany. Time was when the analogy of Germany to the introspective and sentimental dreamer of Elsinore was altogether justified, for in the period of its history from the Napoleonic wars until the revolution of 1848, when the influence of

Prussia upon Germany was comparatively slight, and the German people were dominated by a wave of lofty and noble humanitarianism, there was much similarity between the sentimental and introspective Germany of that day and Shakespeare's amiable dreamer. But the Germany of Bismarck, wonderfully efficient and inordinately ambitious and aggressive, has now no resemblance to Hamlet.

The real Hamlet of nations is America. It has the virtues and the faults of Shakespeare's amiable and attractive young Prince. It, too, "thinks too precisely upon the event," and how often in the last twelve months the "native hue of resolution has been sicklied o'er with the pale cast of thought."

The keynote to the mystery of Hamlet was sounded partly by Goethe and partly by Coleridge. Goethe showed that the tragedy of Hamlet lay in the fact that although he was otherwise superbly equipped for the task imposed upon him by Heaven to avenge his murdered father and drive the usurper from the throne, he yet found himself through the deficiencies of his own nature unequal to the task, and could only cry in a tone of weak dejection:

> "The time is out of joint, oh! cursed spite
> That ever I was born to set it right!"

Coleridge's more subtle and profound analysis explains the reason for this deficiency in the fact that every man should preserve a nice equilibrium between his subjective and his objective faculties, between introspective thought and the outer world of action, into which the healthy soul transmutes its thoughts and purposes. In Hamlet, Coleridge found "an enormous intellectual activity and a proportionate aversion to real action." As Hamlet failed in his great mission and in dreamy introspection "let go by the important acting of the dread command," similarly the United States which in its foreign relations has always been a dreamer, failed in the greatest crisis of human history to exert an influence proportionate to its power and standing, largely because its soul has been introspective. Indeed the analogy could be pushed farther. The first folio reading makes the Queen say of Hamlet in the duel scene:

> "He's fat and scant of breath."

Is not America's fine instinct of justice somewhat dulled by too much material prosperity?

It has for so many years exhausted its energies in purely domestic problems, and has enjoyed the ease of such amazing and superabundant wealth that it has found itself in this world-wide crisis ill-

adapted to meet the obvious responsibilities which that crisis had imposed upon it.

The vastness of America tends to the localization of its thoughts and activities. When the Republic was born, and only extended from the Atlantic seaboard to the Alleghanies, it was believed by many responsible statesmen that it could not possibly long exist over so great an area as even the eastern border of the continent. Frederick the Great had said in 1772 that history could be searched in vain for a single instance where a Republican form of government had long existed over an extended area of territory. It is altogether probable that if it had not been for the steamship, the telegraph, the railroad, and the printing press, weaving together by the centripetal influences of steam and electricity the scattered communities of our country, that the prediction of Frederick the Great would have been justified.

These elemental economic forces have created a reasonable unity of spirit in America's domestic problems, but in the matter of exterior relations, many of its people still take in the full noontide of the twentieth century a very parochial view of world politics.

One result of the wide variety of local conditions is its dual form of government, which seeks to

decentralize authority and carry the principle of local autonomy to the furthest possible limit. In practice, if not in theory, the United States has been in the past a congeries of nations. A conglomeration is not necessarily a unit, as it has found to its cost in the last two fateful years.

The heterogeneous character of its population, representing as it does the blood of all the great European nations, necessarily impairs that sense of homogeneity, without which the unity of a people cannot be fully developed. The United States has given hostages to every civilized nation, whose subjects have crowded to its shores and become citizens, that it will not antagonize the land of their nativity even in a just cause, and while this makes for peace, yet its influence as a world power thereby suffers an inevitable emasculation in power and dignity.

A striking evidence of the parochial character of American politics is shown by the indifference with which, until recent months, the American people evaded the subject of military preparedness.

At the end of the Civil War the United States was the first military power of the world. It had at that time a trained and equipped army of a million men. Few armies of equal size could at that time be instanced, but the great army of

Grant, after the final review in the city of Washington, quietly melted into civil life and thereafter and until the Spanish-American War, the United States had an army which barely exceeded in numbers the police force of New York. Its navy, too, was almost non-existent until in Mr. Cleveland's Administration its rebuilding began.

This policy of unpreparedness was the more extraordinary as the history of the United States was replete with instances which demonstrated its folly. One of the gratifying evidences that America is at last awakening from its dream of isolation is the swift development of the present move towards military preparedness; but it has not been sufficiently rapid to prepare the nation adequately for the possible eventualities of the coming years. Moreover, may it not be as evanescent as an emotional religious revival? Unless America shall gain a wider vision of its duties and potentialities as a world power, the reply must be in the affirmative.

The fact that the United States was for nearly a year on the very brink of war with Germany and that it did not lie exclusively in America to determine whether peaceful relations should continue, did not give to the movement for preparedness the impetus which could be reasonably expected in a

nation which is not introspective. The indifference to external danger made our Government indifferent to the necessity of preparation. When the clouds had commenced to gather and a war with Germany was possible any day, President Wilson for a time belittled the movement for preparedness and denied its necessity, and it was not until the crisis had lasted for some months that he suddenly shifted his position and advocated the movement for preparedness.

That preparedness is an indispensable policy, if America is to discard its policy of isolation and play the part in the great drama of history to which its greatness entitles it, is clear to those who, with expert knowledge, have considered the ability of the United States to defend itself from attack.

To these it is clear that its navy cannot alone relieve the United States from the necessity of military preparation. The fact that it is in the most favourable view the third navy of the world in itself shows that at least two nations could attack the United States with superior force at sea. It must guard two oceans and 21,000 miles of coast line, and as the invader could probably select the time and place of the invasion, it is obvious that America could not safely rely upon its full naval strength at any one point of attack.

What then as to its land defences?

Fourteen years ago the then Secretary of War appointed a General Staff for the Army. This General Staff, composed of experts who had given their lives to a careful study of the problem and who first sought the opinion of nearly every officer of the Army, formulated a report in the year 1912, which until the present time has made little, if any, impression upon the American people, and, but for the events of the last two years probably never would have.

This report showed, among other things, that it was possible for at least three of the great nations of the world, within ten to thirty days, to put an army ranging from 100,000 to 200,000 men upon the shores of America, and in that they were confirmed by the ablest military authorities of the world, namely, the German General Staff, who in their unceasing study of military problems before the present war, had, let us hope as a purely academic problem, reached the conclusion that they could put within ten days approximately 200,000 men upon the Atlantic Coast.

In 1916, the experts of the United States War College made a much more specific calculation, based upon the existing tonnage of the two nations, which were taken to work out the problem.

They found that Germany, utilizing only one-half of such total possible tonnage, could land on the Atlantic shores 387,000 men and 81,000 animals within sixteen days and 440,000 additional men within thirty days thereafter, while Japan could land over 95,000 men and 24,000 animals within twenty-three days on the Pacific coast, and 142,000 additional men and 36,000 animals within forty-one days thereafter.

From a technical military standpoint, the possible danger for America, which the growing military power of Great Britain may have in the future, is even greater than that suggested by Germany and Japan. A war between Great Britain and the United States ought to be unthinkable and may fortunately be classed among the remote possibilities of the future. Nevertheless the science of politics is to take into account the possible, although not probable, for as Disraeli once remarked "it is the unexpected which happens."

The thoughtful American cannot ignore the fact that the material interests of the United States and Great Britain may conflict in the future, and it is always possible, although not probable, that the policy of friendship towards the United States, which Great Britain has con-

sistently followed since Salisbury was Prime Minister, may unhappily change in the dim, uncertain, and most portentous future.

Should this calamity to both nations unfortunately come to pass,—which may God avert!—the ability of the United States to defend itself becomes a matter of vital concern, and a painful subject for discussion, however much the more thoughtful men of each country may deprecate the necessity of even discussing a possible conflict between Great Britain and the United States.

Before the present war, this possible menace, even from the technical military standpoint, was not serious, because there was no great disparity between the standing army of the British Empire and the United States. England has, however, become a great military nation, and when the present war shall end, it will probably have three millions of hardy, well-trained, and seasoned soldiers. Canada alone will have, on the northern border of the United States, at least three hundred thousand veteran soldiers and therefore a larger and more experienced force than the United States could quickly put into the field.

That this apprehension is not merely that of a layman but is shared by those having expert knowledge, will be shown by the following extract

from the statement which General Hugh L. Scott, Chief of Staff of the United States Army, made in December, 1916, to a Committee of Congress:

> In view of the changes that have taken place since the outbreak of the war in the increase in the belligerent forces, I have caused the question [of the military requirements for national defence] to be restudied by the War College Division of the General Staff. The conclusion of the War College Division, which is concurred in by the remainder of the War Department General Staff, is that our system should be able now to furnish in round numbers 1,500,000 trained and organized troops at the outbreak of war, and 1,500,000 additional in ninety days thereafter. This is due to the fact that one of the Powers involved in the war and whose territory extends the whole length of our northern frontier, has increased its army from a relatively small force to a strength approximating that of the other great European Powers. The navy of this Power absolutely controls the sea and its merchant marine is sufficient in extent to transport without delay over one million soldiers with the necessary equipment for such an army. Due to the fact that our northern neighbour is largely an island empire, a great portion of any trained force it may possess can be spared for use in a distant theatre of operations, because, being an island empire, the control of the sea gives it practical immunity from invasion where troops would have to be transported across the sea. It should be pointed out, also, that our northern neighbour is in alliance with a powerful

Oriental nation—another island empire—and for the same reason, when acting in alliance with a Power which has control of the sea, has ability to send its army of 2,250,000 men to any part of the world without danger of invasion. *I think a mere statement of these facts makes it clear that at present we are practically defenceless before the veteran armies of our northern neighbour and could easily be crushed by the existing coalition of these island empires.*

I have said enough, by way of illustration only, to make it clear that if we were menaced by one of these Powers alone, having lost control of the sea, we would need more troops for defensive purposes than have entered into the popular conception of our military problem heretofore.

The General Staff in the report of 1912 then considered what forces the United States had to oppose such an invasion, and, leaving aside the question of what the Navy might possibly do, they found that the Army of the United States numbered about 90,000 men. Of these 18,000 were necessarily detailed to the coast fortifications, and after eliminating about 38,000 men, who inadequately guard America's far-flung colonial possessions, there remained as a possible mobile army not more than 49,000 men. Allowing for useless army posts, the mobile army, which would mainly oppose such an invasion, would not exceed 35,000 men.

These figures are somewhat increased by small additions to the Army since 1912 and a substantial but wholly inadequate increase has been made in 1916, but the poverty of America's military resources remains unaltered and unquestionable. This was strikingly shown in the Summer of 1916, when it required all this mobile force and the National Guard to protect the Mexican frontier from roving bandits.

In the statement, from which I have already quoted, of General Hugh L. Scott, Chief of Staff of the United States Army, the breakdown of the militia system and its poverty as a defensive measure is further illustrated by the actual test made of its efficiency when the National Guard was mobilized to defend in conjunction with the Federal Army the Mexican frontier. General Scott has pointedly brought to public attention the fact that if the volunteer system could at any time have satisfied the military needs of the United States, it was in the summer of 1916. He draws attention to the following special circumstances, which should have facilitated the work of recruiting:

(*a*) The wave of agitation for preparedness that has swept over the country, due largely to the lessons of the European war,

(*b*) The public press of the country generally, regardless of party, had given liberal space in the news and editorial columns in favour of military preparation for months previous to the call.

(*c*) Preparedness parades, in which thousands had participated, had recently been held in many of the principal cities in the country.

(*d*) Congress had but recently, in response to public sentiment, passed a new National Defence Act, which will ultimately almost double the size of our small Regular Army and almost quadruple the size of the Organized Militia.

To these considerations General Scott might have added that the American people, who were then giving daily consideration to the lessons taught by the greatest war in the history of the world, could hardly fail to realize, as the lives and property of their citizens were sacrificed in Mexico and as the submarine controversy with Germany developed increasingly the possibility of war with that country, that their nation was in obvious peril.

And yet the pitiable fact is that a recruiting campaign, which was conducted at great expense throughout the country, secured only sixteen thousand enlistments, and it is estimated that each enlisted soldier in New York State cost in recruiting expenses the sum of forty dollars.

The striking and menacing fact is that in an extraordinary crisis of history the American people, under the volunteer system, made no substantial response to the call to arms.

Moreover the ineffectiveness of the State Militia, as an auxiliary to the Federal Army, was most strikingly displayed, for after it had been mobilized on the Mexican frontier its efficiency was carefully tested by the Inspector General's Department of the Federal Army, with the following disappointing results, as stated by the Chief of Staff of the United States Army to Congress.

Of the 133,505 enlisted men who appeared, 19,202 did not have a marksmanship rating of first class or better ("first class being a standard which is barely tolerable"), 56,813 had never fired before the call to service, 20,964 had less than three months' service, 21,610 had less than one year's service, 34,976 had less than three years' service, 7258 did not respond to the roll, *60,299 enlisted without prior service*, 23,721 were found to be physically disqualified, and 71,505 had never attended a previous encampment or period of field service. The mobilized force was 97,000 below its nominal war strength and 4000 below its minimum peace strength. The navy, America's first line of defense, is equally undermanned. At

present it is short to the extent of 1300 officers and 22,000 men, and when the new battleship, the *Arizona*, was put into commission in October, 1916, the *New Hampshire*, *Vermont*, and *Kansas* were stripped of their men to equip the new battleship. Of what avail is the building of new ships, if there are not trained officers and men to equip them?

General Scott, in his very notable statement to Congress, which unfortunately has not attracted the widespread attention which its very grave importance justifies, believes that this startling condition of the militia is due to the "very widespread, almost universal, misconception in this country of the time it takes to discipline and train the individual soldier." He proceeds to say that the present European war has demonstrated that even with an adequate corps of trained officers, and tested organization of higher units, it requires in time of peace to develop a soldier "two years of intensive training with the colours and additional training of approximately two months in the reserves."

Mr. Bryan's theory as to America's ability to raise an army between sunrise and sunset in the event of an attack is rudely shattered by General Scott, who shows that it requires daily intensive

training for eight or nine hours a day for at least two years in the case of Austria-Hungary, Germany, and Italy, and for three years in the case of France, Russia, and Turkey. England allowed few of its raw recruits to be sent to the firing line within less than one year. General Scott concludes that to prepare a soldier for actual war under modern conditions would require a *minimum* of twelve months' training of 150 hours per month, and he adds that even with this training "no experienced military man will of course claim that soldiers trained for this period are as well disciplined and hence as good soldiers as those who have had an additional year of intensive training and discipline."

He draws attention to the fact that war under present conditions requires a far greater intensive training than in previous times, for the development of the mechanics of war has made the ordeal of the soldier infinitely more terrifying. Today soldiers who are on the defensive are subjected to a continuous and extraordinarily heavy artillery fire from forty-eight to seventy-two hours before an assault is attempted. Having lived through this very hurricane of fire, the soldier must be ready to withstand a powerful infantry assault, during which every possible implement of destruction is utilized.

For this reason a higher standard of training and discipline is required than ever before. Only iron discipline can withstand such terrific assaults, and yet Congress by the Act of 1913, having divided the federalized militia into forty-eight partly independent armies (a policy which caused the despair and almost the defeat of George Washington) merely provided that the National Guard should meet for drill and instruction "not less than forty-eight times each year and shall in addition thereto participate in encampments, manœuvres, or other exercises, including outdoor target practice, at least fifteen days in training each year." To this is added the extraordinary proviso that in enforcing the law no credit shall be given to the National Guard, when it thus assembles, "unless the period of actual military duty and instruction participated in by each officer and enlisted man at each such assembly . . . *shall be of at least one and one-half hours' duration.*" This means, inclusive of armory practice and the annual encampment (the latter estimated on eight hours a day), about 194 hours a year, with which may be contrasted that France, under the law of 1913, requires 7560 hours' training in three years of service or 2520 hours a year, while Germany requires 8100 hours of training in a like period of three years.

General Scott has rendered a great service to his countrymen in bringing to their attention this startling disparity between military preparedness in European countries and in America, but these Cassandra-like warnings have had even less effect in America than Lord Roberts' similar warnings in England. Again and again that great soldier addressed Parliament on the pitfalls that awaited his far-flung Empire, only to be rewarded with pitying and almost contemptuous looks, which suggested that he was either in his dotage or a chronic pessimist, and yet he who runs may now read that this gigantic catastrophe, which has overwhelmed the whole world in material and moral disaster, might never have happened if Lord Roberts' warnings had been heeded and England had developed even half as great an army as that with which Germany assaulted Civilization.

Prior to the critical period, through which we are now passing, it had been supposed that the transportation of large armies across the ocean would be a practical impossibility, and the acquiescence of the American people, until within the last twelve months, in the defenceless state of America was presumably predicated in part upon this belief. England transported over one hundred and thirty thousand men across the English Channel within

ten days with scant preliminary preparation, and while the exact figures are unknown, it must have transported to the Dardanelles at least three hundred thousand men within an incredibly short space of time. Over two hundred thousand men were transported by England to South Africa in the Boer War, a longer journey than from Europe to America. England has transported in the last two years more than a million and a half men across the English channel.

These recent instances show that the oceans are no longer impassable barriers for the once isolated American nation, but on the contrary the smoothest and most open of pathways to any invader, always assuming that its naval defence shall for any reason break down.

The United States also has a State militia, estimated in 1912 to be about 120,000 men, of whom this General Staff, after a very careful inquiry, estimated about 86,000 to be reasonably effective and available soldiers. But even adding the National Guard to the 35,000 mobile troops of the Regular Army, there would then be, exclusive of the increase of 1916, about 120,000 men, scattered over a vast continent, to meet an invasion, which in the case of either Japan or Germany could easily consist of over 250,000 men.

The United States has, it is true, coast defences, some of which are very effective in one direction, the approach by the sea.

Sandy Hook, one of the most powerful coast defences in America, is, for example, chiefly valuable in defending the entrance of New York harbour against an invading fleet. An army, landing as the United States army landed in Cuba from transports at any point on the New Jersey coast, could very readily take Sandy Hook from the rear, unless it were guarded by an effective land force, and the other defences of New York might speedily crumble by a similar attack from the rear.

Thus the most opulent city of the country could be speedily taken by the invaders.

Equally vulnerable and undefended is Philadelphia, a great commercial and manufacturing city, from which the intersecting railways from New York to the south and west could be cut off with little difficulty, if that city were once captured by an invading foe. The fortifications that guard this city of a million and a half people are guarded by 220 men, manning three forts, of which two (Fort Delaware and Fort Mott) are virtually in the hands of caretakers. The remaining fort (Fort

Dupont) has 186 men to guard the prosperous cities of the Delaware.

In the official report of Brigadier-General Weaver, Chief of Coast Artillery, made public on December 17, 1915, it is stated that the coast defences of the United States need over 21,000 men to equip them, and General Weaver adds that in their present undermanned condition, these coast defences "would prove a source of positive danger instead of protection."

Under the policy, as formulated in 1908, America's coast defences were to be manned one-half by regulars and one-half by the state militia, and the little dependence that can be placed upon the latter may be measured by the fact that the States have not furnished, as late as December, 1915, within ten thousand of their quota.

General Weaver adds that guns that cost over $40,000,000 are unmanned, and that there are 128 important guns without men behind them. Thus only one-half of the ten-inch cannon have anyone to fire them. If fired simultaneously there is not enough powder to fire the coast-defence guns a single hour.

The American Army is also singularly deficient in the most approved appliances of war, such as the aëroplanes. These are the eyes of the Army

and without them modern artillery loses half of its effectiveness. The author, in the last week of July, 1916, was privileged to witness for three days the battle of the Somme and although only a layman in military matters, he was deeply impressed with the fact that the consistent successes of the English and French in that titanic battle were due in part to the mastery of the air. During that period I saw few German aëroplanes cross the Allies' lines, but each day I saw many of the Allies' cross from hour to hour to the German lines and direct the artillery fire.

Undoubtedly the aëroplane has thus revolutionized the art of warfare. Without their use the greatest artillery is like the blinded giant in the Odyssey.

It is strange that America, which invented the aëroplane, should be the slowest of nations to utilize its infinite possibilities.

Wilbur and Orville Wright, who, working silently in their bicycle repair shop in Dayton, Ohio, realized the dream of Leonardo da Vinci and made possible the aëroplane, with which man outflies the eagles of the air, fully saw the marvellous possibilities of their invention, for little has been done in this war by the aëroplane that Wilbur Wright did not predict to the author on the night when that great inventor made the first

flight over the Harbor of New York, flying from Governor's Island to Grant's Tomb. And yet it has been stated, and not denied, that the Army of the United States, in its recent operations in Mexico, had at first only ten aëroplanes, and of these only a few were fit for service.

The author visited one of the manufactories of aëroplanes in France, at which 2000 men were employed and in which there were at least 500 aëroplanes of various kinds, awaiting transport to the front.

The lack of interest in America in the development of the aëroplane, where it was invented, is but another illustration of the indisposition of the American people, due to their habit of introspection, to consider any adequate military preparation.

The inventive genius of America is not at fault, for nearly every invention, which has revolutionized the art of war in the present conflict, is due to America. The steamship, the telegraph, the cable, the submarine, the telephone, the machine gun, the aëroplane, and, it is claimed, even the steel-sheathed motor trucks, which, like gigantic Dinosaurs, have only recently moved across the battlefield, are all the product of American inventors, as an American diplomat recently took

occasion to remind a German diplomat who was asserting the dependence of America upon Germany for its industrial inventions.

America is capable of being the first military power in the world. Apart from the inventive genius of its people, it has a virile population of a high degree of intelligence, out of which, as was shown in the great Civil War, an army can be fashioned second to none in courage and efficiency. But this takes time.

Apart from the present disparity in the military resources of the United States and those of any one of the great Powers, two significant facts must be borne in mind.

The first is the tendency of nations to fight in groups. This fact makes it improbable that if America shall become involved in a war with any foreign power, that that foreign power would fight alone, while America, with its opposition to "entangling alliances," would probably be obliged to rely upon its own resources. It is not impossible that America might be simultaneously attacked on the east by some great European power and on the west by an Oriental power, and its defensive strength would thereby be cut in half, especially as the continuing use of the Panama Canal seems conjectural.

The second significant fact is that future wars, the possibility of which must necessarily be assumed in view of the intense hatreds engendered by the present conflict between leading nations, will be fought on an even larger scale than the present unprecedented conflict. The prospect for humanity in this aspect is literally appalling. A distinguished Russian General has had sufficient courage to look into the abysmal future and he makes a prediction which may well stagger humanity, even though his prophecies may be in part exaggerated.

In the *Russkoje Slowo*, General Skugarewski, commander of the Russian infantry now fighting on the eastern front, says:

> It is impossible to predict now the outcome of the present war, but nevertheless we can readily picture in our minds what the next war will be like. It will follow directly on the heels of the present conflict. How soon this new war will begin depends on how the present war will end and who will be the victors. If Germany is not thoroughly defeated, another war will be likely within ten years. In the meantime every country will be busy preparing for it. That coming war will surpass the present in frightfulness; in fact, the present conflict will be like child's play compared to what can be expected in the next war.
>
> The question is, What kind of an army will

Russia be able to put into the next war? In ten years the population of Russia will be 200,000,000, Germany's about 100,000,000. In Russia, therefore, an army of 40,000,000 men will be available and in Germany barely 20,000,000.

For any army of 40,000,000 men at least 300,000 officers are required, and to provide for this all young men should be trained and schooled to become officers. In all schools and colleges military instruction should be included among the other studies. In this army of 40,000,000 there will be 30,000,000 infantry, 2,000,000 cavalry, 5,000,000 artillery, and the remainder in engineer and special troops. The equipment will consist of 100,000 big guns, 1,000,000 machine guns, and 10,000 automobile trucks and ammunition wagons.

In this state of affairs, three alternatives present themselves to the United States.

The first is to make no preparation. The second is to make an inadequate preparation, and the third is to make adequate preparation.

Its policy throughout its history has consistently been that of inadequate preparation.

As between the first two alternatives of no preparation whatever or of inadequate preparation, the former is preferable.

If America prefers in a spirit of blind optimism to rely upon the fact that it has no aggressive purpose toward any nation, and upon the other fact,

which is not so clear, that no nation will ever have any aggressive purpose with reference to it, or if they do, that it will simply "carry in its right hand gentle peace to silence envious tongues" and more hostile hands, then the policy of no preparation has at least something to commend it as compared with the plan of inadequate defence, for at least it would save many lives. If with its inadequate resources it should be suddenly plunged into war—and all modern wars come with marvellous suddenness—the defence of its soil with an inferior navy, or an inadequate army, would in these times, when war is a matter of chemistry, mechanics, and organization, involve a useless sacrifice of life and treasure.

To subject its soldiers and sailors, as Spain did its inadequate fleet, when it ordered Cervera and his squadron from the ports of Spain to the West Indies in order to satisfy national honour, knowing that these ships would be annihilated by guns of longer range, may have some sanction in national pride, but it is nevertheless a wholly unnecessary sacrifice, for the ultimate result to the nation would be the same.

In fact, if the United States made no opposition at all, but as non-resistants, welcomed the invader with the open arms of friendship, and trusted to

his magnanimity and generosity, the terms of peace would probably be less humiliating than if it sent an unequal army and navy against the overpowering resources of nations, which have made their preparations for war a matter of life and death.

The art of war has been revolutionized within the last hundred years. Danton could say at the beginning of the French Revolution to arouse the people: "Dare! again dare! and evermore dare!" The Republican hosts of France arose in that spirit, and when war was a matter of man to man and foe saw the face of foe, it was quite possible, from the mere spirit of "daring" to use Danton's phrase, to carry it through successfully. Today war is a matter of mechanics, chemistry, transportation, and organization. Thus we would have to paraphrase the words of Danton and say, "Organize, and again organize, and evermore organize," because today an army, that lacks the mechanics of war, is worse than no army at all.

Mr. William J. Bryan, the most noted of the extreme pacifists, has deprecated the necessity for any preparation, and is quoted as suggesting that, if America were attacked, a million men would spring to arms between sunrise and sunset. He adds that the money that the nation would spend

in increasing its army could more profitably build twelve great roads from the Atlantic to the Pacific.

Magnificent idea! It would be along those very roads that the invader would march to the very heart of our country. Said Solomon: "Seest thou a man who is hasty in his words? There is more hope in a fool than in him."

A nation cannot improvise an army after a declaration of war, any more than, if an epidemic were raging, it could improvise a medical staff, or, if a great conflagration should visit a city, improvise a fire department.

If there is one thing that the last eighteen months have demonstrated, it is the unquenchable valour and magnificent endurance of France. The French people, in 1870, were as brave as they are today, but they were not prepared. Their system of mobilization was so imperfect that in some instances its soldiers travelled several hundred miles in one direction to receive their equipment and then returned to join their regiments twenty miles from where they started. At the outbreak of the war, when the Minister of War was asked by Napoleon the Third whether everything was ready, the former replied that if the war lasted a whole year, the French Army would not need so much as a gaiter button.

Three weeks after the declaration of war, out of three hundred and thirty thousand soldiers on paper, only two hundred thousand actually mobilized. The reserves had had only one month's training and, in consequence, did not know the use of the new type of rifle that had been introduced. Many brigades and divisions did not know where their commanders were and many commanders did not know where their divisions were. Supplies were wholly lacking. "We need everything," said General Failly. "We are in want of everything," echoed Bazaine. Thirty-eight bakers were sent to feed one hundred and thirty thousand men. Maps of Germany were in abundance, but not a single map of France. The General Staff did not even have a plan. Bazaine afterwards said that if there was a plan, he had not learned of it when he surrendered.

The result was the most terrible *débâcle* in history. Paris fell, notwithstanding the valour of its people and not until they had literally fed upon the dogs in the streets, but nothing could stand against the equal valour and superbly developed organization of a people, who knew so exactly what they were to do that the story is familiar of the elder von Moltke, who, after the war had been

declared, simply pointed to a pigeonhole, containing a plan of campaign prepared years before, and then resumed his game of solitaire. This is probably an exaggeration, but the underlying idea is symptomatic. Had there been a similar unpreparedness in France in 1914 the result would have been the same, without respect to the justice of its cause.

The author reached Paris on the night of July 31st, 1914, and the next night mobilization was declared. The declaration of war was followed in France as in Germany, by a magnificent demonstration of the power of an efficient people.

As a result, within the fourteen days which Germany and France allowed for purposes of mobilization, Germany had in all probability over two millions of trained and equipped soldiers in the field, nearly a million of whom were poured through Belgium, while France had probably a million and a half equally efficient soldiers in arms. If America, with its 35,000 mobile soldiers and its national guard of 120,000 on paper, with its coast defences lacking powder for even a day's firing, were confronted with the trained and equipped soldiers of either France or Germany, it might again suffer the terrible humili-

ation that its Capital suffered over one hundred years ago when the trained veterans of Wellington marched from the Chesapeake to the Capital in a few days and burned its public buildings to ashes with a loss of only sixty-four lives.

The dreadful prolongation of the present war, with its unprecedented toll of human life, is the tragedy of military unpreparedness, for France, England, and Russia were not fully prepared as compared with Germany to meet the strenuous necessities of this titanic conflict, and even Germany greatly miscalculated the tremendous drain which a prolonged war would make upon its material resources.

The war has had few greater tragedies than the dreadful disaster which befell the Russian Army, after its victorious march through Galicia and across the Carpathians, when it was driven back and decimated because of its lack of equipment. Russia's inability to furnish its soldiers with even a sufficient number of small arms cost it at least a million soldiers.

England, too, was not ready, and its small but splendid expeditionary force was quickly swallowed up in the gigantic struggle, for which its forces, however brave, were painfully inadequate.

Had England been ready, the war might never have been.

Even France was not fully prepared as to equipment, and it is believed by many military experts that if General Joffre had had an adequate supply of munitions, the battle of the Marne would have been even more decisive and the invaders would have been driven back to their frontiers.

Possibly half of the tragedies of history are due to military unpreparedness and in no way has the solemn warning of Solomon been more strikingly illustrated: "Where there is no vision, the people perish."

Unless the movement in America for military preparedness is sustained by the same spirit of patriotism, unity, and efficient co-operation as was shown in the mobilization of France in August, 1914, then any reform in the United States will be sporadic. Sooner or later men will quarrel with increased taxation, and the immediate possibility of war not being apparent, the present movement may unhappily prove to be one of these temporary agitations, quickly begun and as quickly abandoned in Congress when it has served the purpose of self-seeking politicians.

Unless, therefore, the American people can feel the necessity of adequate defence, and each citizen

feels that it is a matter of civic obligation, as in Switzerland, to co-operate in some form for the defence of the nation, then the movement will lack motive power, and after being a "nine days' wonder" will be defeated by lack of public interest.

Again to quote Solomon: "He that being often reproved, hardeneth his neck, shall suddenly be destroyed and that without remedy."

Can a great patriotic people, as the American people are, justly proud of their past, exultant in their present condition of unequalled prosperity, and confident of their future, lack that spirit of intense civic patriotism, without which no nation could possibly do that which France, England, and Germany have done in such a remarkable way in the year 1914?

The answer cannot be given by reference to a glorious past or to material prosperity. There is much more in the "vision" of a people than in trade statistics or census enumerations. Unless the men of America shall have the same spirit as France to defend their existence as a nation, then they will be as a people that having no vision will sooner or later, even if they do not utterly perish, suffer humiliation such as they have never yet known.

America's difficulty in having this vision lies

in the fact that it is naturally insular in spirit. It thinks in the terms of a nation situated between two great bodies of water; and as the water that flows about the British Isles has profoundly affected the temper and policy of that people, the obsession of these two oceans, stretching to the east and west, has created in America the consciousness of being an island remote from possible attack and surrounded by an impregnable moat of water.

This sense of insularity is intensified by its being "cribbed, cabined, and confined" by the political traditions of the eighteenth century. The tradition of its supposed isolation is almost as potent today as it was when Washington was President. America fails to see that it is the very heart of the world, wedged between the Occident and the Orient, and that the sea, which was once such an impassable barrier, is now an open, unobstructed pathway over which the marvellous fleets of war could freely pass.

This parochial view blinds many Americans to the obvious fact that their nation not only will, but already has, been sucked into the maelstrom of this titanic conflict. While it may not become technically involved in the present war before it ends, yet it is already involved so far as it is a war of conflicting ideals. From the hatreds, pre-

judices, feelings, antipathies, and interests that are the birth of these labour pains of humanity America cannot escape.

The author will later in detail discuss the influence upon America of the application of Washington's doctrine of neutrality. If he were alive today and were the President of a nation of one hundred millions of people, the most powerful potentially in the world, would he counsel such a parochial view and condemn his people to a policy of perpetual isolation? To reply affirmatively is to attribute to the immortal spirit of Washington a lack of forethought and courage which his whole career entirely belies.

The superficial character of scholastic education in America is one cause of this want of vision. In its elementary schools a few basic facts of American history are taught, and they are always facts that are pleasing to its national pride, and that is almost all that the average man learns of his country's history. Take the ten leading colleges of America, and select the ten brightest students from the senior class, and then ask these one hundred boys a very vital incident of American history: "How did aid first come to America from France?" Probably not five per cent. could answer the question correctly. And yet if it had not been for that

aid from France the revolution might have ended in a fiasco. Nine out of ten men would probably reply that it was Dr. Franklin who first secured help from France. Long before Dr. Franklin ever reached Paris the colonists had been given secret aid from the arsenals of France with the connivance of its government, then nominally a neutral. The man who first suggested to his nation the idea of helping the colonists in this manner was Beaumarchais, the witty author of *The Barber of Seville* and *The Marriage of Figaro.*

How many Americans, as they sing the *Star Spangled Banner*, recall the humiliating chapter of American history, with which this stirring song of patriotism is connected? A few days before had occurred the rout of the American Army at Bladensburg.

An American general, who was then in command and who was made the subject of a court-martial inquiry, testified that he was able to bring into the field only about 6000 men, all of whom were militia except about 400 regulars; that he could not collect more than half his men until a day or two before the engagement, and 700 did not arrive until fifteen minutes before the engagement began, which was a little late; that the commanding officers were unknown to him,

and only a small number had enjoyed the benefit of military instruction or experience.

Four days from the landing on Chesapeake Bay to the capture of the City of Washington was all that was required by the attacking force. The immediate terrain was a wooded one, and well adapted for defence. The British commander testified that the American Army at Bladensburg was "strongly posted on very commanding heights."

A few rockets, sent up over the heads of the untrained militia, plunged them into a panic of terror and they fled, leaving the artillery uncovered. The only redeeming feature was the 400 trained artillery men, who fought bravely until they found that the drivers of the ammunition wagons had a pressing engagement in Washington and had also incontinently fled.

General Winder, the American officer in question, testified that after a short struggle "not a vestige remained of the army," and that all except the 400 brave regulars had beaten a hasty retreat.

The victors lost sixty-four killed and 185 wounded, and the vanquished lost ten or twelve killed and forty wounded. The invaders burnt the Capitol and the Executive Mansion. The *London Times* contained a few weeks later an editorial saying that "Washington, the nest of vipers,

was at last destroyed." That was a few days before the *Star Spangled Banner* was written.

Americans can be proud that a small number of unseasoned militia did save Baltimore on that occasion, but is it not the part of wisdom to teach the American youth that while the flag on Fort McHenry did continue to wave, yet that military unpreparedness had nearly brought the United States to ruin?

In the Revolutionary War there were 395,000 enlistments, and yet Washington never had an army of more than 17,000 men to command, and that only at the beginning, and at one time only 3,000 men remained to serve. Inspired by their noble chieftain, they contributed that noblest chapter of American heroism at Valley Forge, and redeemed those humiliating features of the Revolution which too many Americans complacently ignore.

In the War of 1812, there were 527,000 enlisted men on the American side and the utmost force that the British ever had was 55,000 and yet until the great but unnecessary triumph at New Orleans, the dubious successes of the American Army on land were only redeemed by the very brilliant achievements of its small but efficient navy. May Americans one day see in their American colleges,

whose success as social clubs cannot be gainsaid, a standing rule that no man shall receive a degree unless he has a working knowledge of the Constitution of the United States and can pass a real examination in the true history of his country!

Again America's optimistic idealism further tends to obscure that clear vision, which its safety requires. Among these ideals is that of pacifism. The author has been in his life a consistent worker in the cause of international arbitration. He still believes in it. While it can never altogether end war, it can minimize its minor causes and when these occur, it provides the machinery for settling disputes with honour.

The ideal of the pacification of humanity is a noble goal, toward which humanity must painfully toil. In this respect it can be said of civilization that unless it have the true vision of peace, viz., peace with justice, it will perish.

Americans are a pacific people, and it is not surprising, nor a matter of discredit, that shortly before this war it was enthusiastically negotiating and signing arbitration treaties, which went to the length of agreeing to arbitrate even questions of national honour. But while this spirit of humanitarian idealism has its good side, it also has its unfortunate results.

This beautiful vision of the pacification of humanity has to some extent blinded us to the fact that we are still living in a real world of very fallible men, in which all do not want justice and in which some nations plainly prefer power. Unless a nation is prepared to acquiesce in wanton wrong, it must be prepared to defend itself.

No human being can tell what mysterious birth will come from the awful travail of this titanic world-war. We do know, however,—and this fact is one never to be forgotten—that whereas before the beginning of this war the United States enjoyed in generous measure the good will of the greater part, if not all, the world, it is at least doubtful whether it has now the good will of any tonight, at least to the same extent as in past years. Its relations with the rest of the world have experienced in the last two years the most extraordinary and portentous *bouleversement.* The nerves of the world, after this conflict is over, will be the nerves of a neurasthenic and very dangerous to irritate.

It is always within the power of any foreign nation to involve the United States in war. If other pretexts were lacking, America has given a standing challenge to all the world. It is the Monroe Doctrine.

Thereby it claims a moral protectorate over the entire Western Hemisphere. Such claim obviously has no sanction in international law and is only an assertion of what is supposed to be enlightened policy. If any nation wishes to quarrel with the United States it need only, for instance, purchase one of the West Indies. What should America then say? What could she safely say in her condition of comparative weakness?

A more immediate and direct illustration of the possible obligations resulting from the Monroe Doctrine is suggested by the possibilities of the Mexican situation. Contrary to the policy of other leading nations, the United States declined to recognize the Huerta régime as at least the *de facto* Government of Mexico, and by intimating to the European Powers that any intervention on their part in Mexico to protect the lives and properties of their nationals would be regarded as unfriendly to the United States, it went far toward assuming moral responsibility for the chaotic conditions in Mexico.

In deference to the wish of the United States, the European nations abstained from any intervention and left to the United States the task of restoring law and order, a task which at the time this book goes to press still remains unperformed.

Great losses have resulted and it was recently

estimated that the citizens of European nations have sustained losses in Mexico in the last three years in excess of $500,000,000. Mexico will be in no condition to respond to these claims for damages. The European nations, on the other hand, when asked by their own citizens to assert these claims, may feel that, with their own resources impoverished by the stupendous world war, they are in no condition to waive all these claims out of deference to the United States.

Under these circumstances, is it impossible or even improbable that one or more of these nations may demand that the United States reimburse their citizens for these losses? If so, what reply will the United States make? Without action by Congress no sum can be paid to satisfy these demands, and yet the average Congressman will find difficulty in facing his constituency if he join in appropriating a stupendous sum for this purpose. One or more European nations may decline to accept the inaction of Congress, even as the United States declined to accept the inaction of the French Chamber of Deputies, in 1833, when it refused to make the necessary appropriation to carry out the treaty, under which France agreed to reimburse the United States for the losses which American ships had sustained during the Napoleonic wars.

Thoughtful Americans will not ignore the possibilities involved in the situation and they will increasingly appreciate that the immunity, which America once enjoyed to so large an extent from the quarrels of the world, may no longer be its good fortune. Under these circumstances preparedness would seem to be the most vital concern of the United States, and yet it is subordinated to petty issues of domestic and ephemeral importance. Again let it be said, "Where there is no vision, the people perish."

If the United States desires to take part in the League of Peace, to which I have already referred, must it not have an army and navy to contribute to the enforcement of this joint responsibility of civilization? Can the United States enter the councils of the nations with a relatively small army? If it desires to take part in such a league of nations to enforce peace it should be prepared to make good its part of the joint promise.

Is the America of today capable of playing such a part? Patriotic self-complacency prompts an unhesitating reply in the affirmative, but the events of the last two years should give the candid American pause for thought.

Several years ago the author was in Rome and

one evening, as the sun was setting, leaned over the parapet of the Pincian hill and saw the "Eternal City" in the glory of a dying day. The band was playing the Valhalla *motif* from the Götterdämmerung of Wagner. Before me was the historic city, an epitome of the progress of mankind. There was the Coliseum, that remnant of imperial Rome, standing like a gigantic torso of Michel Angelo. Then I turned to the west and saw the dome of St. Peter's, over which another great authority of today still rules so large a part of mankind. I thought of Republican Rome, and of the Rome of the Cæsars and the Renaissance, the Rome of the Popes and of modern Italy, and with the majestic strains of the Valhalla *motif* sounding in my ears I wondered whether this were the "twilight of the gods" for this imperial city.

Some months later, I read in Trevelyan's *History of the Roman Republic* these last words of his introduction. He had just traced the progress of the great uprising throughout Italy, and eloquently concluded:

> This has taught, what clearly cannot be learned from the pages of Ruskin and Symonds or any other of Italy's melodious mourners, that she is not dead but risen, that she contains not only ruins but men, that she is not the home of ghosts, but the land which the living share with their immortal ancestors.

America has a glorious past, and an equally glorious future likewise awaits it, if it be only worthy of it. If its people shall have a "vision" of its potential greatness, if the old American spirit, that in times of stress and toil has never hitherto failed it at the end, shall be felt again, then it will be said of America in these dim, uncertain, and portentous days to come, that "she is not dead but risen, that she contains not only ruins but men, that she is not the home of ghosts, but the land which the living share with their immortal ancestors."

III

THE FOREIGN POLICY OF PRESIDENT WASHINGTON

"*The path of the just is as the shining light, that shineth more and more unto the perfect day.*"—Proverbs.

III

THE FOREIGN POLICY OF PRESIDENT WASHINGTON

THE policy of the United States in this great crisis of history has been influenced in no small degree by a mistaken interpretation of Washington's farewell address. This interpretation precipitated a conflict of ideals in the souls of thousands of Americans and has lead to an inevitable confusion of thought and consequent indecision.

On the one hand, the traditional sympathy, which Americans feel for any nation which suffers from injustice or oppression, would have led to a more vigorous policy on the part of this Government; but conflicting with this general sentiment was a tradition not less dear, the profound respect which every true American justly feels for the doctrine of Washington which, predicated upon the infancy of the Republic, *seemingly* advised that the United States should avoid any participation in political questions having their origin in European politics.

If thus misapprehended, the true doctrine of Washington requires restatement, not merely in justice to his memory but because America will never play the part, which its great material and moral resources so justly warrant, unless it frees itself from that which I conceive to be a misinterpretation of the real doctrine of Washington. No statute of mortmain holds property in its grip more unyieldingly than does the Washington legend dominate our world outlook.

That his wise precepts, either correctly or incorrectly interpreted, profoundly affect the policies of a great nation more than one century after his death is in itself an extraordinary fact and an equal tribute to the worth of his character and the beneficent nature of his services to his country and to mankind. In life and death he remains the master American.

In his lifetime, it was easier to state the fact of this mastery than to analyze its causes. When the intrepid Kent said to the kingly Lear, "You have that in your countenance which I would fain call master—authority," he partly explained Washington's leadership in his day and generation.

"Oh, Iole, how did you know that Hercules was a God?" "Because," answered Iole, "I was

content the moment my eyes fell on him. When I beheld Theseus I desired that I might see him offer battle, or at least guide his horses in a chariot race, but Hercules did not wait for a contest; he conquered whether he stood or walked or sat or whatever thing he did."

Patrick Henry voiced the universal judgment when he said, speaking of the Second Continental Congress, that "when you speak of solid opinion and sound judgment, Colonel Washington is unquestionably the greatest man upon that floor," and that was said of a convention which counted Franklin, Jefferson, Morris, Adams, and Madison among its members, and of which the elder Chatham, the greatest statesman of the English empire, said:

> I must declare and avow that in all my reading and study, and I have read Thucydides and have studied and admired the master States of the world, that for solidity of reason, force of sagacity, and wisdom of conclusion, under such a complication of circumstances, no nation or body of men can stand in preference to the General Congress at Philadelphia.

Washington's mastery was not due to any abnormal development of mind or body. As someone has said, his genius was that of centricity, and not of eccentricity.

His power was not that of scientific attain-

ments, as in the case of Franklin, for he was not a highly educated man; nor was it due, as in Jefferson's case, to a glowing imagination, a lofty idealism, and a gifted pen; nor did he triumph as Hamilton by unusual administrative genius and a brilliant personality; nor had he the gift of eloquent speech as had Patrick Henry and the elder Adams, or the acute analytical mind of James Madison or John Marshall.

Still less was his success that of a vigorously aggressive and intensely ambitious nature. In all his life he sought but one thing, and that was privacy. He preferred the ploughshare to the sword, and the quiet of Mount Vernon to the councils of the mighty. He was a shy, diffident man, who rarely spoke, and seldom offered an opinion unless it was solicited.

Nothing more strikingly illustrates this fact than his attitude in the Constitutional Convention, when he occupied for four months the chair of presiding officer. No one more than he had inspired in his countrymen the ideal of a consolidated union, and no one perceived more clearly the vital necessity of such a government, and yet, although he presided for nearly four months over the Constitutional Convention and listened, often with pained and anxious interest, to the vigorous

and at times angry debates of its members, he never spoke but once, and then but briefly.

Before the Convention was even organized, and while the members who had already gathered were waiting for a quorum, he laid down—if we can trust the recollection of Gouverneur Morris—that which forever should be the golden rule of statesmanship in this country:

> It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If to please the people we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise and honest can repair. The event is in the hand of God.

And yet this silent man was a more potent factor in bringing to pass the Constitution of the United States than any member. His influence was potently felt throughout the entire deliberations. That discordant body could not separate with its great work undone while the benignant countenance of Franklin and the masterful spirit of Washington remained in their midst.

It is even more remarkable how completely he took captive the hearts of his country's enemies. When his death was announced, the flags on many

English men of war were dipped in honour of his memory. All England rang with his praise.

Within a month of his death, a leading English magazine thus described him:

> A man superior to all the titles which arrogance or servility has invented for the decoration of hereditary rank. . . . In his character were renewed all the qualities we most admire in the noblest names of antiquity. . . . The nearest approach to uniform propriety and perfect blamelessness which has ever been attained by man, or which is perhaps compatible with the conditions of humanity.

When these and similar eulogies were spoken in England of one who had divided the British Empire in twain, the ashes of the controversy were not yet cold. Even then England regarded him as the consummate flower of the Anglo-Saxon race.

His portrait has never been more graphically drawn in words than by the greatest of English novelists. In *The Virginians*, Thackeray says:

> What a constancy, what a magnanimity, what a surprising persistence against fortune! . . . The chief of a nation in arms, doing battle with distracted parties; calm in the midst of conspiracy; serene against the open foe before him and the darker

> enemies at his back; Washington, inspiring order and spirit into troops hungry and in rags; stung by ingratitude, but betraying no anger, and ever ready to forgive; in defeat invincible, magnanimous in conquest, and never so sublime as on that day when he laid down his victorious sword and sought his noble retirement—here indeed is a character to admire and revere, a life without a stain, a fame without a flaw.

How little Washington could have anticipated that one hundred and fifteen years after his death the English people would reverently buy the home of his ancestors as a perpetual memorial, and propose to erect within the walls of Westminster Abbey a statue to his memory.

Was ever a moral victory over hostile opinion more complete? Can my readers imagine the leading publicists of France eulogizing the character of Bismarck and placing his effigy in the Pantheon? Or can they picture a statue to Hindenburg in Paris, to Joffre in Berlin, or to von Tirpitz in Trafalgar Square?

England was not alone in this tribute to a hero. In life and in death the world honoured him, as it has no other victorious captain. However divided the States of the world are in estimating other men and events, they are united in giving lasting honor to George Washington.

Was not the mystery of this triumph because he

Stood serene and down the future saw the golden beam inclined
To the side of perfect justice, mastered by his faith divine,
By one man's plain truth to manhood and to God's supreme design.

To eulogize such a personality would be the idlest superfluity. Nothing can add to or detract from his pre-eminence among the wise, the good, and the heroic of men. His teachings with respect to the problems that immediately confront us as a nation are therefore of surpassing interest.

In this great crisis of human history, when civilization is swept by a seismic storm of passionate strife, we may well consider the foreign policy of George Washington in a somewhat analogous crisis. He helped to steady the Ship of State in his time and keep it on an even keel, when it was swept with angry cross seas of human passion.

There is in some respects an extraordinary analogy between the condition of the world as it now is and as it was during the two terms in which Washington served as Chief Magistrate. Then, as now, half the world was convulsed with fratricidal war.

As Washington said: "The whole world was in an uproar." Then, as now, the United States had a most difficult and delicate task "to steer safely" —again to quote his words—"between Scylla and Charybdis."

It may be doubted whether any one but Washington could have held the United States together in this era of cyclonic strife a sufficient time to insure its perpetuity. It was a nation of about three millions of people, as distant from the centres of civilization as the Congo is now, and playing almost as insignificant a part in the great affairs of the world.

The new Government was a novel experiment, and, as Washington said, he was obliged to "tread unbeaten paths." The Republic had neither an army nor a navy and no credit to organize either. A substantial part of the public debt was already in arrears, and the currency of the United States had sold a few years before at the rate of eight cents on the dollar.

Its people were by no means united. Their representatives had with great reluctance, and only after bitter controversy and prolonged deliberations, adopted the Constitution of the United States, and the people had ratified it with even greater hesitation and distrust.

Our country had always been a shuttlecock of European nations, and our destinies had thus been interwoven with the quarrels and intrigues of European nations.

These conditions would have made the path of Washington supremely difficult under any circumstances, but concurrently with the inauguration of the new Government the French Revolution exploded as a long suppressed volcano. A few months after he took the oath of office the Bastille was stormed and a Paris mob marched on Versailles and brought the King a virtual captive to the Tuileries.

Concurrently with Washington's effort to demonstrate the possibility of liberty with law, and freedom with order, the French Government had been usurped by the Committee of Public Safety under Danton, Marat, and Robespierre. Religion had been dethroned, nearly all existing institutions had been swept away, and license under the name of reason had been worshipped in the guise of a naked woman on the altar of Notre Dame.

Nearly all Washington's utterances with respect to our foreign policy were predicated upon this extraordinary condition, and his wise and sagacious counsels must be read in the light of the conditions and problems to which they were specifically directed.

Too little attention has, I think, been called to the moral grandeur of his first inaugural address. Both in diction and matter it is a worthy predecessor of the first inaugural of Jefferson or the two similar addresses of Lincoln. After addressing a fervent supplication "to that Almighty Being Who rules over the universe" and Whose hand he beheld in the foundation of the United States, he asked:

> That the foundation of our national policy will be laid in the pure and immutable principles of private morality and the pre-eminence of free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world.

He affirmed the truth:

> That there exists in the economy and course of nature an indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity.

And he expressed the belief:

> That the propitious smiles of heaven can never be expected on a union that disregards the eternal rules of order and right, which heaven itself has ordained.

Writing to Lafayette on January 29, 1789, he said:

> My endeavours shall be unremittingly exerted, even at the hazard of my former fame or present popularity, to extricate my country from the embarassments in which it is entangled through want of credit. . . . I think I see its path as clear and direct as a ray of light. Nothing but harmony, honesty, industry, and frugality are necessary to make us a great and happy people.

Thus he prophetically saw the future greatness of the Republic. No one saw that future with a clearer vision.

His sagacity is shown in the fact that he had no illusions about the French Revolution, as had so many of his contemporaries.

On October 13, 1789, he wrote:

> I fear that although it has gone triumphantly through the first paroxysm, it is not the last it has to encounter before matters are finally settled. In a word, the Revolution is of too great magnitude to be effected in so short a space, and with the loss of so little blood. . . . The licentiousness of the people on the one hand, and the sanguinary punishment on the other, will alarm the best disposed friends to the measure, and contribute not a little to the overthrow of the object. . . . To forbear running from one extreme to another is no easy matter, and should this be the case, rocks and shelves, not visible at present, may wreck the vessel.

How rocks and shelves did for a time wreck the noble vessel, we, with the greater wisdom of the *post factum* kind, now know, for the fine aspirations for liberty, which originally inspired the French Revolution, were only to end in the iron rule of Napoleon. This Washington foresaw, for in this same letter he said that "he regarded the renovation of the French Constitution as one of the most wonderful events in the history of mankind," but, he added, "my greatest fear has been that the nation would not be sufficiently cool and moderate in making arrangements for the security of liberty."

That great Revolution had its reflex influence on the United States, and this country was sharply divided between the partisans of England and those of France. The intensity of their conflicting emotions was so great that the infant Republic would have been strangled in its very birth had it not been for one of the wisest acts of Washington, and yet the very one that cost him ultimately the most acute anxiety and the greatest bitterness of spirit.

He selected for his Cabinet the leaders of the two great parties which were then in process of formation. One was Alexander Hamilton, the other Thomas Jefferson. Thus they were obliged

to some extent to submerge their differences in loyalty to their common chief. Jefferson and Hamilton were the hostages which the Federalist and Democratic parties gave to Washington for their good behaviour in that period of passionate party strife.

Nothing more strikingly marks the intensity of that strife than its continuance to this day, and the fact that our generation cannot be just, as Washington was, to both factions and their able leaders. Each of them was partly right and each partly wrong. In Washington's time, the one man, whose wise counsels were above the possibility of just criticism, was the well poised President.

It is difficult for the followers of Hamilton, even to this day, to see the force and strength of Jefferson's position, and that of his party. The latter's opposition to the Constitution until the first ten amendments were adopted, was not without justification, for without those amendments the Republic might have degenerated into a mob tyranny. So, too, the opposition of the Jefferson minority to the tendencies of some of their opponents was absolutely just, for it is idle at this day to deny that there was a considerable faction in this country that would have gladly turned the Republic into an hereditary autocracy.

In reference to our foreign affairs, there was also considerable force in the Democratic party's contention. The sympathy for France was not without justification, for, apart from the invaluable aid that she had given to us in the Revolution, and the fact that that Revolution, with all its excesses, represented an uprising of the people against long continued and indefensible wrong, there had been an express treaty between France and the United States, which perpetually obligated us to support France in any war which might be waged against her.

On the other hand, the contention of the Federalists had also great justification. To them the supreme necessity in the infancy of the Republic was to restore the credit of the United States, and to consolidate a feeble league of jealous and discordant States into a harmonious and consolidated Union. To them, moreover, the tendencies of the French Revolution were properly regarded as confusing license with liberty and tending to destroy altogether any stability in Government. The excesses of the Jacobins, whether in England or the United States, were clearly foreseen as the submersion of all public order and the enthronement of anarchy.

Neither Jefferson nor Hamilton were suf-

ficiently broad to sacrifice wholly their personal controversies and interests to the common good in a spirit of loyalty to their illustrious chief.

No fact tried Washington more bitterly than this. His whole official career as President was the most bitter experience of his life. It both aged and saddened him. It made of him in his latter days a silent and disillusioned man. At great sacrifice to his personal interests, at a time when his own affairs were in such a wretched condition that—being land poor—he actually borrowed the money to go from Mount Vernon to New York to be inaugurated, he had sacrificed every personal advantage to the public good, and yet he found his two chief advisers unwilling to submerge their differences.

Their passionate quarrels so embittered him that he once said that there was only one moment since he had been inaugurated that he had regretted having left his home in Mount Vernon, and that was "every moment," and that he "would rather be in the grave than to be the emperor of the world."

On August 23, 1792, he addressed a letter to Jefferson, Hamilton, and Randolph, in which, after deprecating the fact that internal dissension

should "be harrowing and tearing out our vitals," he added:

> That unless there could be more charity for the opinion and acts of one and another in governmental matters . . . it would be difficult to manage the reins of Government, or keep the parts of it together, . . . and thus the fairest prospect of happiness and prosperity, that ever was presented to man, will be lost perhaps forever.

He therefore asked that

> instead of wounding suspicions and irritating charges there may be liberal allowances, mutual forbearance, and temporary yieldings on all sides.

A little later he writes to Jefferson that

> he deeply regrets the differences in opinion which have arisen and divided you and another principal officer of the Government. [Hamilton.]

He added a wish that

> there can be an accommodation of them by mutual yieldings. . . . I believe that the views of both of you, to be pure and well meant, and that experience only will decide which are the better politics.

Unfortunately these quarrels did not cease, but only increased in intensity, until Washing-

ton's life became so embittered that at the end of the first term it was with the greatest reluctance, and only at the earnest solicitation of both Jefferson and Hamilton, that he agreed to accept a re-election.

It was not alone these two quarrelling statesmen who thus made his life miserable, when he was trying to construct the edifice of our Government on a sure foundation, but even more irritating to him were two editors, whose pinpricks and unfair attacks made the old lion roar with anger. To us, in this later day, when abuse has become so common that little attention is paid to it, it is difficult for us to understand the intense sensitiveness of Washington to the criticism of the press. One newspaper charged him—to use his own expression—with deficiencies like those, of "a Nero, or a notorious defaulter or common pickpocket" —and it is true that a desire to put a regal crown on his grey head was persistently charged by these two "scribblers," as he contemptuously called them.

With scant co-operation, even from his immediate Cabinet advisers, of whom Knox and Hamilton were avowed in their sympathies for England, and Jefferson and Randolph were equally ardent for France, Washington, with extraordin-

ary sagacity, kept the ship on an even keel, for he saw that nothing could be more fatal than to steer the infant Republic into the then seething maelstrom of European politics.

Defending his policy in a letter to Patrick Henry, he said:

> My ardent desire and my aim has been . . . to comply strictly with all our engagements foreign and domestic and to keep the United States free from political connection with every other country, to see them independent of all and under the influence of none. *In a word, I want an American character that the Powers of Europe may be convinced that we act for ourselves and not for others.* This in my judgment is the only way to be respected abroad and happy at home and not by becoming partisans of Great Britain or France, create dissension, disturb the public tranquillity, and destroy, perhaps forever, the cement which binds the Union.

In a letter to William Heath, dated May 20, 1797, he expressed the hope that

> our citizens would advocate their own cause instead of that of any other nation under the sun; that is, if instead of being Frenchmen or Englishmen in politics they would be Americans, indignant at any attempt of either or any other power to establish an influence in our Councils or presume to sow the seeds of discord or disunion among us.

Washington would have had little patience with hyphenated Americans of whatever racial origin. He welcomed the alien to this asylum of the oppressed, but when such alien took an oath of allegiance as a naturalized citizen it was in Washington's eyes no idle form that such applicant thus renounced all allegiance to any foreign ruler.

Fully conscious that his exhausted country needed peace and quiet for its convalescence, he was nevertheless not a "peace at any price" adherent. He did not cherish the illusion that even in his day our nation could have the secrecy and immunity of a hermit nation.

When he delivered in December, 1793, his second inaugural address, war had already broken out in Europe and the burden of his message naturally dealt with the many novel problems which then confronted the infant Republic. He said:

> I cannot recommend to your notice measures for the fulfilment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defence and of exacting from them the fulfilment of their duties toward us. The United States ought not to indulge a persuasion that, contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. *There is*

a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

His policy of neutrality was not however intended as a rigid and invariable policy, for it was expressly predicated upon the inability of the Republic to take at that time a commanding position in the affairs of the world. He saw with a clear vision that while this state of weakness would not then allow us to follow any policy, other than one of temporary political isolation, yet that the time would come when a different policy would be possible and sometimes advisable.

Thus, in a letter to Gouverneur Morris, on December 22, 1795, after reaffirming his policy of non-intervention in European politics, he says:

> Nothing short of self-respect and that justice which is essential to national character ought to involve us in the war; *for sure I am if this country is preserved in tranquility twenty years longer, it may bid defiance in a just cause to any power whatever.*

At the time he thus wrote, even with his prophetic vision he could not fully grasp the possibility that in less than one hundred and twenty

years we would be a nation of one hundred million of people, and at least potentially the most powerful nation in the world.

It was, however, in the Farewell Address that he framed in the most deliberate and precise manner his views as to the foreign policy of the Government.

The care and deliberation, with which this immortal valedictory was prepared, is familiar to all students of our history. He first planned it at the end of his first term, and it evidently occupied his thoughts during the whole of his second term. He submitted drafts of it to Madison, discussed it with Jefferson and Knox, and finally engaged the acute mind and eloquent pen of Hamilton in its final preparation. Thus the Farewell Address, one of the noblest state documents in the history of the world, represents the mature wisdom and deliberate expression of the greatest minds of that period, and above all it speaks the very soul of Washington himself.

Solemnly he warned us against—

> excessive partiality for one foreign nation and excessive dislike of another. . . . The great rule of conduct for you in regard to foreign nations is, in extending our commercial relations to them, to have as little political connection as possible.

> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by unofficial ties in the *ordinary* vicissitudes of her politics or the *ordinary* combinations and collisions of her friendships or enmities.

The reader should note the reiteration of the word "ordinary." It suggests by necessary implication a belief on the part of Washington that there might arise extraordinary vicissitudes in European politics, which would involve the welfare of civilization itself, and as to these he was careful not to exclude the legitimate right and interest of the United States to have a voice.

He continues:

> Our detached and distant situation invites and enables us to pursue a different course.

That "detached and distant position" has been overcome by events which he could not possibly anticipate. With all his prophetic vision he never could have anticipated the steamship, railroad, telephone, cable, or the Marconi wireless, which have woven the world into a community of interests and have thereby promoted a solidarity of mankind which was not possible in

his age, when the nations were detached and segregated communities.

Again, in the Farewell Address, he expressly predicates his observations on the conditions which then prevailed and again prophetically calls attention to the fact that if the infant Republic simply abstained in its infancy from intervention in the destructive policies of the Old World, a day would come when all nations must reckon with it, for he says:

> If we remain one people under an efficient government, *the period is not far off* when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; *when we may choose peace or war as our interests, guided by justice, shall counsel.*

Even more pointedly at the close of the Farewell Address he says, in further explanation of his policy of neutrality in the then pending war between England and France:

> With me a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and

consistency *which it may be necessary to give it, humanly speaking, the command of its own fortunes.*

How little he anticipated the present day when assuredly we have, as no other nation, to use his expression, "the command of our own fortunes"!

Did Washington intend to commit this country for all time to a policy of political isolation?

I cannot believe it. When he strongly and sagaciously advised his country against having "alliances" or "political connections" with other countries, the precise meaning which he gave to those terms must be steadily borne in mind.

Civilization was then a community of detached and isolated States, between whom there was no co-operative effort for the maintenance of international law and the preservation of peace. Alliances and treaty relations between nations were only for purposes of offence and defence and bound the respective nations in a community of purely selfish interest. International arbitration was almost unknown, while such a federation of the world, as was realized in the two Hague conventions, was as undreamed a possibility as Marconi's instantaneous transmission of news "by the sightless couriers of the air."

It was an age in which each nation was an

Ishmael and international morality was almost non-existent.

The great ideal, to which mankind will march with increased rapidity after the close of the present war, namely, the joint responsibility of civilization for the preservation of peace and the maintenance of international law, was also far beyond the ken of Washington's day.

If the world shall hereafter move to this "consummation so devoutly to be wished" of collective responsibility, and if all nations shall unite to suppress any disturbance of the world's peace, as in the nature of civil war, can it be that Washington intended that in such a movement towards perpetual peace this Republic should surround itself by a Chinese wall of political isolation?

Is there anything in his teachings or career which justifies the assumption that he did not intend his Republic to realize its full destiny as a great, masterful, and beneficent people in proportion to its strength?

Could he, who witnessed and directed the mysterious and puissant impulse, which led the colonies to throw off their allegiance to Great Britain and assume an independent station among the nations of the world, ignore the fact that that

instinct for expanding power would remain with us while Anglo-Saxon blood flowed in our veins? If he were alive today, would he reject the locomotive for the stagecoach or the repeating rifle for the flint-lock musket?

Had he lived to see his nation in its lusty youth on the banks of the Mississippi, and later reaching the shores of the Pacific, and still later had seen its flag greeting the rising sun in the harbour of Manila, would he, of all men, accept a policy which seeks to limit the power and influence of the Republic to the Western Hemisphere, and which attempts to surrender the world-wide and beneficent influence in the affairs of man, to which the greatness of its people and the strength of its resources alike entitle it?

Those who would forever keep the Republic in her swaddling clothes, and who for this purpose invoke the great name of Washington, should first convince us that if he were the President of potentially the most powerful nation, he would advise it to yield precedence to lesser and weaker Powers. Would he, of all men, ignore the fact that as America has derived from civilization inestimable rights and privileges, it owes and should recognize its corresponding duty to be a potent and beneficent force in the councils of mankind?

Nothing would amaze Washington more, if he could revisit the glimpses of the moon, than to behold a great and potent nation limiting its beneficent power by a tradition of isolation, which, however suited to his time, is plainly ill adapted to a more complicated civilization. Washington, as all the other great actors of the Revolutionary epic, had his traditions and an ancestry in which he gloried, and yet he was forced by the logic of events to disregard both. When the Revolution came through unforeseen circumstances, nothing was further from the purposes of the founders of the Republic than separation from England.

Said John Adams: "There was not a moment during the Revolution when I would not have given everything I possessed for a restoration to the state of things before the contest began, provided we could have had a sufficient security for its continuance." Dr. Franklin, the most trusted, sagacious, and farseeing statesman of his generation, said before the battle of Lexington that he had not heard the "least expression of a wish for a separation, or a hint that such a thing would be advantageous to America." John Jay said: "During the course of my life and until the second petition of Congress in 1775, I never had heard an American of any class, or of any de-

scription, express a wish for the independence of the colonies." The author of the Declaration of Independence said: "It has always been, and still is, my opinion and belief that our country was prompted and impelled to independence by necessity, not by choice. I never heard a whisper, before the commencement of hostilities, of a disposition, to separate from Great Britain." Washington, in 1774, denounced as "malevolent falsehoods" the assertions that "there is any intention in the American colonies to set up for independent States." In 1776 he wrote: "When I took command of the army I abhorred the idea of independence; now I am convinced nothing else will save us."

Building better than they knew—as all master builders of a nation—the founders of the American Republic were led, by impulses which they could not fully understand, to disregard every tradition which they held dear, to renounce allegiance to their King, separate from the great English Empire, make formal alliance with their enemy, France, and create a Union of which each had been but too jealous.

The Constitution of the United States was not the deliberate wish of the people, but was created by their necessities; it met no one's entire approval,

was only adopted after bitter debates of four months' duration, and was the result of a compromise begotten by the stern and pressing necessities of the situation. Only a choice between chaos and a Constitution induced the jarring, discordant, and jealous States to surrender any portion of their sovereignty, and yet this Constitution, in its present form the child of no brain and the creation of no wish, is the admiration of the world, and has been pronounced by the most scholarly statesman of our time, to have been "the most perfect ever struck off by the brain and purpose of man at a given time."

Nor has this truth been less marked in our own time and generation. The Emancipation Proclamation clearly violated the traditional policy af America which recognized the existence of slavery. Jefferson's stern denunciation of the slave trade, which he had inserted in the first draft of the great Declaration, was stricken out by Congress, and the Constitution itself distinctly recognized the existence of this baleful domestic institution. Its destruction was not due to the conscious and deliberate purpose of any statesman. Lincoln at the beginning of his administration distinctly disclaimed any purpose to interfere with it, and it was not until the blood, which had

been shed from Bull Run to Antietam, cried as from the ground that again this tradition was destroyed. No one recognized this more clearly than did the great war President, and in his second inaugural he plainly voiced his belief that not only the removal of slavery but the Civil War itself had come by no human wisdom, but by a divine judgment.

Blind adherence to tradition is not the highest patriotism but is a form of intellectual slavery unworthy of a free and progressive people. The God of Nations never intended that wisdom should die either with any man, generation, race, or epoch. Least of any people should America doubt the "increasing purpose of the ages" and the "widening of thought with the process of the suns."

The founders of the Republic recognized that wise nations, as wise individuals, change their minds when occasion justifies, but fools never. We should not attribute to them an infallibility which they did not claim for themselves.

The decadence of Spain, which cost her the empire of the world, was due to her "inordinate tenacity of old opinions, old beliefs, and old habits," which Buckle finds to be her predominant national characteristic. He adds:

> By encouraging the notion that all the truths most important to know are already known, they repress those aspirations and dull that generous confidence in the future without which nothing really great can be achieved. A people who regard the past with too wistful an eye will never bestir themselves to help the arm of progress. To them iniquity is wisdom and every improvement is a dangerous innovation.

Even if a fair interpretation of all that Washington wrote justified the belief that not only temporarily but permanently he opposed any departure from the policy of isolation, yet the present generation of Americans, living under widely different circumstances than those that prevailed at the beginning of the Republic, would necessarily be constrained to decide questions of foreign policy in the light of the living present rather than of the past, for "new occasions teach new duties" and time may "make ancient good uncouth."

To hold a virile and masterful people in the leash of an obsolete tradition is impossible. Sooner or later it will break free and run its destined course.

It is clearly unjust to the memory of Washington to attribute to him, who broke with the traditions of his day, a policy of timid subservience to obsolete traditions.

Remembering his masterful nature and the courage with which he adapted his course to circumstances, it is inconceivable that Washington, if his hand were today upon the helm of power, would permit his country to pursue any selfish and ignoble course.

If he re-entered today the beautiful Capital, which so fittingly bears his name, and learned how that "rank due to the United States among nations," which he so confidently predicted for it, had been impaired by the unatoned murder for over twelve months of American citizens on the high seas, I think he would give to the politicians, who sought to betray American rights on the high seas by an embargo and other restrictive laws, such a look as he gave Charles Lee upon the battlefield of Monmouth.

If Washington's foreign policy be thus in part limited to his times and the then prevailing conditions, yet other parts are of such eternal verity as to be a chart for his successors for all time. Thus he says:

> Observe good faith and justice towards all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation to give to mankind the mag-

nanimous and too novel example of a people always guided by an exalted justice and benevolence.

That is a policy whose infinite truth and value "time cannot wither or custom stale." This is the chart by which America can be safely guided throughout all future time. To observe that policy in its spirit and in its letter is to be true to Washington, and if thus true, America cannot then be false to any nation. Such is Washington's counsel to this generation of Americans, for the words of his Farewell Message are instinct with immortal life and will outlive all the utterances of living Americans.

If Washington thus enjoins his countrymen to "cultivate peace and harmony" with other nations it is only when he has first admonished them to "observe good faith and justice." Justice is not a mere negation. It is not satisfied merely by inaction. It is a positive, affirmative force, which entails active duties as well as passive rights.

What were Washington's views in the last days of his life, and of the eighteenth century?

Europe was then rocking with revolution. Napoleon had destroyed the last remnant of free government and had seized the reins of power as First Consul. All Europe was uniting against him

and mankind was destined to see fifteen years of bloody strife, which were only to culminate on the field of Waterloo.

While Washington was not destined to see this, for he died shortly before Napoleon won his great victory on the plains of Marengo, yet we can imagine the old soldier in his retirement at Mount Vernon following with eager vision the extraordinary developments in the Old World and the rising career of the new Cæsar. Can we not imagine him in that last autumn of his life, seated on his porch in the gathering twilight, —emblematic of the dying day of his life—and silently gazing upon the Potomac, as it moved toward the sea, a symbol of the infinite mystery of Time?

It was on such an October evening a few months before he died, with the autumn leaves falling from the trees upon the green lawns of his much-loved home, that he retired to his study and wrote in a letter to a friend his last expression of opinion as to the affairs of the world, and what he thus wrote could be applied with such rare propriety to the conditions of the present hour, as expressing what would be his opinion if he were alive today, that I shall venture to quote it. He said:

> The affairs of Europe have taken a most important and interesting turn. What will be the final results of the uninterrupted successes of the combined army . . . it is not for a man at a distance of 3000 miles from the great theatre of action to predict, but he may wish, and ardently wish from principles of humanity, and for the benevolent purpose of putting a stop to the further effusion of human blood that the successful Powers may know at what point to give cessation to the sword for the purpose of negotiation. . . . My own wish is to see everything settled upon the best and surest foundation for the peace and happiness of mankind without regard to this, that, or the other nation. A more destructive sword never was drawn, at least in modern times, than this war has produced. It is time to sheathe it and give peace to mankind.

Thus spoke and still speaks the world's noblest citizen, and, notwithstanding the blackness of the present hour, to that ideal of peace mankind is steadily marching. At its head is still the great soldier, who, if "first in war," was also "first in peace"; for

> the path of the Just is as a shining light, that shineth more and more unto the perfect day.

IV

THE SUBMARINE CONTROVERSY

"And pity, like a naked newborn babe,
Striding the blast, or, Heaven's cherubim, horsèd
Upon the sightless couriers of the air,
Shall blow the horrid deed in every eye,
That tears shall drown the wind."

—SHAKESPEARE.

IV

THE SUBMARINE CONTROVERSY

THERE are two political organizations, which by reason of the vast influence which each exerts upon millions of intelligent beings, and their detached yet cosmopolitan character, enjoyed at the beginning of the world war an exceptional moral prestige in civilization. In the estimation of countless thousands each has failed to meet the expectations of the world in its greatest moral crisis. How far is this disappointment justified in the case of the United States?

If it has failed it is not because its people did not understand the gravity of the moral crisis, but because in its foreign relations there is no real coercive public opinion to shape its foreign policies. The Constitution, while giving to the President the initiative in foreign affairs, intended to commit the ultimate decision to the legislative branch, and yet neither the Czar nor the Kaiser has exercised more exclusive power over the foreign policy of his nation than has President Wilson, in determining, almost without Cabinet or Congress, the policy of his nation.

A year has passed since the world heard with horror of the sinking of the *Lusitania*, the greatest tragedy of the seas. As the anniversary approached, Americans everywhere recalled the crime with feelings of deepest detestation, mingled with the keenest humiliation. The latter feeling sounded the deepest note in their souls. The foul crime of the *Lusitania* had not yet been disavowed, and it will never be fully redressed unless the watery grave of the *Lusitania* shall prove to be the lasting grave of the Hohenzollern dynasty. That will be an expiation worthy of Æschylus or Shakespeare.

The American people grieve for the victims of the *Lusitania* and for those near to them, to whom has come the infinite but common tragedy of the "vanished hand and the sound of a voice that is still." They recall with horror that many of these victims were little children, and to him, who caused this massacre of the innocents, whether he wear an admiral's stripes or an imperial crown, will one day come the condemnation spoken nearly two thousand years ago:

> *And whoso shall offend one of these little ones, which believe in me, it were better for him that a millstone were hanged about his neck and he were drowned in the depth of the sea.*

Charles Lamb has said that the tragedy of *King Lear* was unactable for the reason that the sublime third act, the greatest in all tragedies in its poignant pathos, so exhausted the capacity for sympathy, that the remaining two acts fell upon deadened souls. Similarly, the accumulating horrors of this war of nations have so stupefied the hearts of Americans that the dominant emotion of their souls, as they recall this crowning crime of the century, is not only grief for the victims, but the deeper sorrow, which they feel in the impairment of their prestige as a nation.

When the author spent the summer of 1916 in England and France, he was privileged to meet many distinguished statesmen and soldiers of both nations. Their surprise and disappointment in the failure of America to exact full and swift atonement for this murder of American women and children was manifest. When they spoke, it was to express deep appreciation of what individual Americans had done; but when pressed to express their opinion of its Government, they gave the impression that America as the land of ideals had for them ceased to exist.

If moral values are of greater moment than material prosperity, then this *bouleversement* is the greatest calamity that the United States could

suffer. If its great cities had been destroyed, and economic ruin had swept the land as a devouring hurricane, the injury would have been less, for America could rebuild its cities and restore its material prosperity, but the honour of a nation, once compromised, is not so easily regained.

What shall it profit a nation to gain the material wealth of the whole world and lose its own soul?

Let us consider to what extent this feeling is justified by the facts. In doing so, candour and interest alike require plain speech. It is not a time for self-complacency. The nobler spirit of America has been dulled by too many diplomatic platitudes during the last two years, and the rising spirit of indignation among true Americans will sooner or later demand a fearless appreciation of what has happened, and a resolute purpose to vindicate its honour.

When the world war broke out, no principle of international law was more securely established than that war should be so conducted that injury and death should be spared to non-combatants so far as was humanly possible. The principle was as old as civilization. The idea that it was of modern origin is largely due to the fact that the horrors of the Thirty Years' War, with its sack

of Magdeburg and other atrocities,—a fitting parallel to the rape of Belgium,—caused the great philosopher and jurist, Grotius, in 1625, to define in his classic treatise, "*De jure belli et pacis*," this principle of humanity, which in times of war marks the chief line of demarcation between savagery and civilization.

Grotius abundantly proved by citations from Cicero, Sallust, and Seneca that to spare non-combatants and treat even captured soldiers with humanity and moderation was a basic principle of civilization. The excesses of the Circus Maximus and the Coliseum marked the baser days of the later Cæsars. In the application of this principle, Grotius quoted Seneca as holding that, "in the calamities of war, children are exempted and spared on the score of their age, and women from respect to their sex."

In his noble oration in defence of Ligarius, Cicero voiced to no less a judge than the greatest of the Cæsars the virtue of moderation to the vanquished and uttered the immortal truth that "man can approach no nearer to the gods than in giving safety to men."

The principle, thus recognized even in the times of the earlier Cæsars, received a powerful impetus with the advance of civilization and the growth

of Christianity, and in the days of chivalry became one of general recognition. No one can assert that this ideal was always observed in the passionate strife of the Middle Ages but it was an ideal, consistently avowed, which generally moderated the excesses of war. The mediæval knight disdained to use his sword upon a non-combatant; but now, to quote Burke's sad lament: "The age of chivalry is gone . . . and the glory of Europe is departed."

Such was the undoubted law of civilization at the outbreak of this war. It is no answer to say that international law is a misnomer and means little more than the etiquette of nations, to be observed or disregarded according to the pleasure or necessities of the combatant, for of this and other great principles of humanity, Alexander Hamilton eloquently said:

> The sacred rights of man are not to be searched for in old documents and musty records. They are written as with a sunbeam in the whole volume of human nature by the hand of Divinity itself and can never be erased by mortal power.

The clearest recognition of this principle is evidenced by the fact that for five months after the war began it was never asserted by any

belligerent that any right existed to slaughter indiscriminately non-combatants, whether citizens of belligerent nations or not, in order to destroy an enemy's commerce. The first intimation to the contrary was an authorized interview by Admiral Tirpitz, given to the world on the eve of Christmas—God save the mark!—in which that chief of pirates, whom history has recorded,—for no buccaneer of the Spanish main ever did a fouler deed than the destruction of the *Lusitania*—stated that it was his intention to torpedo every merchant vessel belonging to the Allies, and, directing his challenge to America, he asked, "What will America then say?" Had President Wilson then called upon Germany to affirm or disaffirm this threat of its chief naval commander under penalty of an immediate severance of diplomatic relations, this black and shameful chapter of history would probably never have been written.

This was followed on February 4, 1915, by a proclamation, which established a war zone around the British Isles and said:

> Every enemy merchant ship found in the said war zone will be destroyed *without its being always possible to avert the dangers threatening the crews and passengers.*

America accepted the challenge in the most unequivocal manner, when its Government on February 10, 1915, called the attention of the German Government "to the very serious possibilities of the course of action apparently contemplated," and added as a warning that if such cause of action caused

> the death of any American citizens, it would be difficult for the United States to view the act in any other light than as an indefensible violation of neutral rights, *for which the Government would be concerned to hold the German Government to a strict accountability, and to take any steps it might be necessary to take* to safeguard the American lives and liberty and to secure to American citizens the full enjoyment of their acknowledged rights on the high seas.

Thus was the issue joined with brave words, and if the Wilson Administration had then begun to make adequate preparations to vindicate these words with deeds, it is reasonably possible that the *Lusitania* would never have sunk.

Whether the German Government was indifferent to the hostility of America or misled by the assurance which its then Secretary of State is said to have given to the Austrian Ambassador that its notes were to be taken in a Pickwickian sense and

as chiefly intended for home consumption, we do not know, but it is certain that the German Government shortly thereafter determined to test the sincerity of these emphatic warnings.

On March the 28th, 1915, it sank the British steamer, the *Falaba*, without any warning and destroyed a number of lives, including that of an American citizen.

It followed this a month later by firing on the American flag and sinking the American steamer, the *Gulflight*, and three more of its citizens became the victims to their piracy.

On May 24th a German submarine torpedoed the American steamer, the *Nebraskan*, and the German Foreign Office then assumed its attitude of almost contemptuous indifference by sending to Washington the extraordinary explanation that the commander of the submarine could not see because of the gathering twilight what the nationality of the vessel was and therefore torpedoed the unknown ship on the assumption that it must be a belligerent ship, and it was sardonically added that on this account the shot must not be regarded as intended for the American flag but simply as "an unfortunate accident."

On April the 22nd the German Government determined to direct on American soil the actions of

American citizens and in defiance of the principles laid down by President Wilson. At that time a large number of American citizens were preparing, in full confidence that their rights would be vindicated by their Government, to sail on the *Lusitania*, and the German Embassy, by an advertisement dated April 22nd and published May the first, warned the citizens that if they sailed on the *Lusitania* they would do so "at their own risk." This meant and could only mean that the German Government forbade American citizens to do that which their Government had told them they had a right to do.

This violation of all diplomatic proprieties and virtual defiance of our Government on its own soil was intensified when the German Foreign Office, after the *Lusitania* had been sunk, ironically expressed its regret that Americans felt more inclined to trust to English promises than to pay attention to the warnings from the German side.

When Genet made a similar but far less reprehensible attempt to appeal over the head of the President to the American people, President Washington, although his country was then in its infancy and ill prepared to defend its rights, promptly demanded his recall. De Lome went home because of one slur on President McKinley

in a private letter, while Sackville-West was given his passports because he expressed an opinion in another private letter how an American citizen should vote. America compelled Spain to disavow the murder of the crew of the *Virginius*, and later sought to compel Mexico on short notice to salute its flag because American officers had been arrested by overzealous Mexican subordinates.

If Ambassador Bernstorff had been given his passports then, it is again probable that the *Lusitania* would never have sunk.

The Wilson Administration was not unaware of the gross impropriety of the action of the German Embassy, because it called its attention to it as a "surprising irregularity," but with this very mild rebuke, it permitted the German Ambassador to remain, and he has since influenced the action of the Washington Government as no other foreign diplomat has ever done. Emboldened by his immunity, his military and naval attachés, Von Papen and Boy-Ed, outraged every principle of diplomatic intercourse by making the United States a base of belligerent operations.

The impropriety of the German Embassy was emphasized when Dr. Dernburg, the semi-official representative of the Kaiser in America, cynically

added to the formal warning of the German Embassy:

> If after such warning and publication of the fact that a ship contained contraband, as I have suggested, people want to travel in her, it is their own affair. Nobody can prevent their committing suicide if they wish.

This brutally cynical remark also went unrebuked; until, with his exultant justification of the massacre of the *Lusitania*, public opinion—and not a laggard Government—drove him from the United States, whose hospitality he had so shamefully abused.

The *Lusitania* sailed on May 1st with 2500 noncombatants on board; and on May 7th, without the slightest warning or an opportunity to escape, it was cruelly and treacherously torpedoed, and over one thousand men, women, and children were thrown to the waves.

Two days later the President of the United States spoke in the city of Philadelphia and the entire world listened with bated breath to what the first citizen of America would say in relation to this outrage. He had only to lead. The American people were then ready to follow.

Mr. Wilson knew and must have known that every syllable he then uttered would be neces-

sarily construed as having a direct reference to his attitude and that of his country. He must have been conscious of this, and this was his message to the world:

> Is not there such a thing as a man being too proud to fight? There is such a thing as a nation being so right that it does not need to convince others by force that it is right.

The German Government thereafter not unnaturally paid little attention to successive notes, which it and the world generally regarded as more voluble than valuable.

On May 13, 1915, Mr. Wilson did protest against this inhuman outrage, but all that was said was that

> the Imperial German Government will not expect the Government of the United States to *omit any word or any act* necessary to the performance of its sacred duty of maintaining the rights of the United States and its citizens and of safeguarding their free exercise and enjoyment.

Thereafter no "word" was omitted. The President mobilized the dictionary. It was a time for "blood and iron" not for diplomatic treacle.

On May 28, 1915, the German Government justified the sinking of the *Luistania* upon grounds,

all of which were untenable and some of which were false in fact.

On June 9th, Mr. Lansing addressed a note to the German Government and demanded assurances

> that the Imperial Government will adopt the measures necessary to put these principles into practice in respect to the safeguarding of American lives and American ships.

While this ineffective interchange of notes was taking place, the German Government was in no unmeaning way indicating by its acts its intention to carry on the policy of frightfulness on the high seas.

On June 28, 1915, it sank the *Armenian* and killed eleven American citizens, and nineteen days later it attacked the great trans-Atlantic passenger ship, the *Orduna*, and only a missed shot prevented a repetition of the *Lusitania* massacre.

On July 21st the German Government, having persistently refused to disavow the *Lusitania* outrage, Secretary Lansing addressed to it another note, in which the rights of American citizens as neutrals were again emphasized and which concluded by saying that

> friendship itself prompts it [the United States] to say to the Imperial Government that repetition by

commanders of German naval vessels of acts in contravention of these rights must be regarded by the Government of the United States, *when they affect American citizens*, as deliberately unfriendly.

It will be noted that in this demand President Wilson commenced to modify at least the grounds of his contention by omitting the previous wholly creditable assertion of the rights of non-combatants on general principles of humanity and by restricting it to the rights of American citizens to be in any event immune.

This modification went far to compromise the principle upon which the whole contention of America was necessarily based. This distinction between the rights of neutrals and the rights of non-combatants was not an inadvertence. The note was prepared by President Wilson with the utmost care, and it is said that he spent some hours in considering whether he would use the words "deliberately unfriendly" or "an unfriendly act," although it would take a mediæval scholiast to recognize the precise distinction.

While these innocuous notes were being exchanged, Admiral von Tirpitz and his subordinate pirates were not idle, for on August the 19th they destroyed the *Arabic* and killed some more American citizens. This act and the subsequent

inaction of the Wilson Administration raised so strong a storm of protest among the American people that the sagacious Bernstorff evidently advised his home Government that while it could trifle with some American officials, it could not thus deal with impunity with the American people, and thereupon the German Foreign Office attempted to give the impression that the sinking of the *Arabic* had been contrary to authority, and it authorized its Ambassador at Washington to give this Government a solemn pledge that

> liners will not be sunk by our submarines without warning and without providing for the safety of the lives of non-combatants, provided that the liners do not try to escape or offer resistance.

This pledge was given not in Bernstorff's language but in formal terms conveyed through him to Washington by the German Foreign Office. The pledge was absolute and without restriction as to the war zone. And yet in its note of May 5, 1916, as we shall presently see, the German Foreign Office denied that any such assurance was ever given as to "liners" in the so-called war zone.

This was not the only pledge, for Secretary Lansing states in his later note of April 18th, that

> again and again the Imperial Government has given its solemn assurances to the Government of the United States that at least passenger ships would not thus be dealt with.

As recently as February last it promised this except as to armed merchantmen, but these promises proved to be only "scraps of paper."

The assurances that were thus given that the attempted torpedoing of the *Orduna* and the torpedoing of the *Arabic* and the *Ancona* were in violation of instructions would belong to low comedy, if it were not in results the subject of high tragedy. Remembering the incalculable consequences that might befall Germany, if the American Government had proceeded to vindicate the rights of its citizens and the principles of humanity, it is altogether incredible that any commander of a submarine would have acted in violation of the instructions given to him by his Government. Remembering the discipline of the German army, navy, and civil government, it is morally certain that whatever assurances have been given through diplomats or whatever ships have been sunk by submarine commanders have been by direct authority of the respective heads of these departments and with the knowledge of the supreme War Lord. When therefore, assurances were

given to this country that no more liners should be sunk without warning, and when submarine commanders subsequently proceeded to sink such ships without warning, the conclusion is reasonable that the same responsible ruler and War Lord, who gave the pledge through his chancellor, permitted its violation by his submarine commanders.

The false pledge, thus given to America to lull it into a false sense of security, was accompanied by another policy of sinister significance. In the United States, public indignation was steadily increasing at this ineffective exchange of notes; and the German Ambassador, thereupon, insidiously suggested to Secretary Lansing that the policy of publishing notes should cease and that further communication should be conducted by confidential "conversations," which left little scope for the influence of public opinion either in Germany or in the United States. Thus was the policy of "pitiless publicity" vindicated in a grave matter! Undoubtedly diplomatic communications may often both advantageously and properly be conducted *in camera*, but this controversy had hitherto been conducted in the forum of public opinion and its sudden transfer to "secret diplomacy" was but another surprising change of policy.

While these confidential "conversations" were proceeding, the horror of the *Lusitania* was repeated on November 7, 1915, when a submarine, carrying the Austrian flag, sank the *Ancona*, and nine more American citizens were sacrificed. Once again the familiar excuse was given that the commander had acted in excess of his instructions and it was agreed that he should be punished. If he has ever been punished, the fact and nature of his punishment have yet to be made public. His punishment may have been to be decorated, as was the commander of the submarine which sank the *Lusitania*. In this connection it may be noted that so far as the public knows all inquiries of the American Government as to the character of the punishment meted out to the commanders, who sank the *Ancona* and the *Sussex*, remain unanswered.

On September 30th, another passenger steamer, the *Persia*, was sunk, and another American life, that of an official of the United States, was sacrificed. As the *Persia* presumably did not commit suicide by torpedoing itself, and as the scene of disaster was beyond the region of mines, it is not a very rash assumption that either a German or an Austrian submarine sank it.

After these confidential conversations had pro-

ceeded for about six months more, announcement was loudly and triumphantly made in February 1916, that the submarine controversy had been finally settled. The settlement would have been consummated but for the fact that the issue of the status of armed merchantmen arose, and the proposed settlement was again postponed. Had it been consummated, it would have involved on the part of our country a partial compromise of the principle of humanity involved.

As that compromise may yet be revived in the tortuous course of future negotiations, it is important that its nature should be clearly recognized, so that public opinion may, if possible, prevent it.

The proposed settlement, which was for a few fleeting days proclaimed from Washington as a great diplomatic triumph for the United States, commenced with a promise to pay cash for the lives of the American citizens, who were lost on the *Lusitania*. The German Government then agreed to conform its future warfare to the recognized principles of international law, and then, as a disavowal of the *Lusitania* outrage, the German Government was to make substantially the following acknowledgment to the world:

> Germany, while considering reprisals against an enemy legal, but knowing that the United States

regards reprisals as illegal, admits that the attack on the *Lusitania* was an act of retaliation that was not justifiable *so far as it involved the loss of neutral lives*, and also assumes liability for such loss of life.

Such was the nature of the settlement, as semi-officially given to the press of the country both by the American State Department and the German Embassy.

At the time that this proposed settlement was interrupted by the new issue of arming merchantmen, Secretary Lansing and the German Ambassador were discussing whether Germany would "assume" liability or would "recognize" liability. This was the merest verbal hair-splitting in view of the express admission by the German Government that the attack on the *Lusitania* was unjustifiable "so far as it involved the loss of neutral lives." Had this qualified disavowal been accepted by America, it would have compromised the justice of its cause and modified the existing law of humanity.

If the attack on the *Lusitania* were only unjustifiable "so far as it involved the loss of *neutral* lives," then the implication is not unreasonable that it was justifiable so far as it destroyed the lives of non-combatants of *belligerent* nations. It is true that it does not expressly

say so, but the "disavowal," which the United States had insistently demanded for nearly a year, was a full recognition of a wrong, and to the extent that a wrong was not admitted it was by implication justified by this attempted "accord and satisfaction." This distinction was indefensible either on grounds of humanity or of international law. If Germany had a right without visit or search to attack the *Lusitania* because it was an English vessel and was believed to be carrying contraband, and had a right to destroy English non-combatants, then that right could not be impaired by the accidental presence on the *Lusitania* of American citizens. No American would contend that the army of the Crown Prince was prevented from bombarding Verdun if some American citizens were accidentally in the beleaguered city.

The massacre of the passengers and crew of the *Lusitania* was unjustifiable, not because American citizens were sacrificed, but because all on board were non-combatants. Its sinking without previous visit or search and without making any provision for the lives of the passengers and crew, would have been in gross violation of the previously accepted law of nations, even though no neutral happened to be there. Germany had always asserted and even insisted upon this contention.

Indeed it had formerly carried further this principle of immunity by asserting that the crew of a belligerent merchant vessel could not even be made prisoners of war. Such was the contention of Prince Bismarck in the Franco-German War of 1870, when a French warship seized a German merchant vessel and thus treated its crew.

President Wilson had in the earlier stages of the diplomatic controversy clearly recognized this fact and had very properly and justly rested its contention upon the rights of non-combatants, but in the later notes, and until the final note of April 18th, he so far modified his claim as to rest it upon the immunity of neutrals from the effects of reprisals. Most fortunately, after the destruction of the *Sussex* had again aroused the Wilson Administration from its policy of inaction, its claim was again securely rested not merely upon the rights of neutrals but "upon manifest principles of humanity." It fittingly and forcefully denounced submarine warfare as "utterly incompatible with the principles of humanity, the rights of neutrals, and the sacred immunities of non-combatants." It is most gratifying that it thus returned to the broader and nobler ground of its contention.

Unless we are to retrograde to the principles of savagery, which prevailed in the dark ages and

before the Roman Empire, then the fundamental and all-comprehensive restriction on the rights of war must be based on the broad and humane consideration that as non-combatants make no pretence to fight, either by way of offence or defence, their lives shall be spared so far as is humanly possible. No other position can be reconciled with the claims of conscience.

To any humane man, it cannot matter whether the women and children, who were so ruthlessly thrown to the waves, were Americans, Germans, Austrians, French, English, or Russian. They were women and children, and that ought to have been the chief ground of their immunity. If this principle were ever important to humanity, it is infinitely important today, when the methods of destruction have been horribly and infinitely multiplied by the agencies of chemistry.

Undoubtedly a siege of a city incidentally involves both injury and death to many non-combatants. The blockade of a country has of necessity a like effect. Prince Bismarck in 1871, and Count Caprivi in 1892 both contended that a blockade to cut off foodstuffs was not only legitimate warfare but a comparatively humane way of ending a war. Germany won its great triumph over France in 1871 by starving the non-combat-

ants of Paris. While Bismarck and von Moltke feasted in Versailles, the people of Paris died by thousands. They fed upon horses, dogs, cats, and even rats. A dog fetched twenty francs, a rat five, but even these last resorts to avoid starvation could not save children, who perished for want of milk. Bismarck threatened to resign if his government even accumulated food supplies to give the starving people of Paris immediate sustenance upon their surrender, claiming that that course would encourage France to prolong the contest to the last possible hour. The world accepted this method of war, because a surrender would avoid starvation. "*Krieg ist Krieg.*" The coercion of a nation by a food blockade is often an incident of warfare, but it does not follow that an aëroplane, a Zeppelin, a submarine, or a platoon of soldiers can deliberately and intentionally destroy non-combatants to terrorize and coerce a belligerent nation.

The indiscriminate dropping of explosives on a city, like London, Freiburg, or Stuttgart, not within the true war zone, is wrong, whether done by English, German, or French aviators, and is a deadly affront to civilization. I share with Lord Bryce the profound regret that the Allies have occasionally resorted to reprisals of this character.

Fortunately this proposed compromise of the underlying moral principle as to the sacred immunity of non-combatants without distinction of nationality was forgotten in the issue as to armed merchantmen; and while that was pending, the German Government again committed an indefensible outrage in sinking on March 24, 1916, the *Sussex*, a Channel ferryboat, and again destroying many women and children.

When challenged to justify this act and other acts of a similar character, and to reconcile these murderous deeds with the solemn pledges given to this Government, the German Government on April 10, 1916, replied with a cynically insolent note. It said in effect that although a German submarine did on the same day, at about the same hour, and in the same locality, and in the same manner, sink an English boat, yet that a sketch drawn by the captain of the submarine through his periscope, did not correspond with the picture of the *Sussex* in a London illustrated paper, and that it therefore must have been another vessel.

This note would be comic, if it were not so tragic. It was an obvious insult to the Washington Government and measures the attitude of almost contemptuous indifference which the German Government at that time maintained to the

United States. As to the three other ships, destroyed about the same time, the German Government replied by admitting the fact and justifying the deed, without even deigning to give a reason.

This was the culmination of a course of conduct running over a year, in which not only the acknowledged rules of international law and the principles of humanity, but the solemn pledges to the United States, had been ruthlessly and cynically broken. And yet, after all that experience of deception, cunning, and violated promises, all that the United States Government did, by its note of April 18, 1916, was to demand an immediate cessation of these practices (a demand already made in almost the same terms on June 9, 1915) accompanied, however, by the threat that if the demand were not complied with, diplomatic relations between the two countries would be severed.

It is true that the German Government bases its justification of these outrages upon the principle of reprisal and that the law of reprisals may to some not clearly defined extent modify the ordinary rules of war is clear; but reprisals must be equivalent in degree, if not in kind, and cannot override fundamental principles of humanity.

If England is violating international law by shutting off the food supplies of the German population, then Germany would be equally justified in cutting off by lawful methods the food supplies of England. If in such a blockade England, without preliminary visit and seizure, sank German merchant vessels and massacred non-combatants, then Germany would, as to the non-combatants of the offending country, have the right of reprisal. But it does not follow that a blockade of a country, with the incidental result of economic suffering to the civilian population, justifies by way of reprisal the deliberate massacre of non-combatants on a merchant vessel.

The German Government did not suggest, when Paris was besieged in 1870, and its people were dying from starvation, that such injury to thousands of non-combatants would justify the French Army in shooting every German non-combatant, who happened to be in the besieged city, and yet logically this would result from Germany's present contention. To admit that the suffering, which the civilian population of any country incidentally suffers through a blockade, justifies a resort to savagery would be a fatal negation of international law. The blockade of the South by the Federal Government in the Civil War caused great suffer-

ing to the civilian population of the South but would it have justified piracy?

The American note of April 18th demanded an immediate reply. Germany showed its indifference to this request by waiting more than a fortnight, although the Teutonic Powers gave Servia only forty-eight hours to consider far more sweeping demands. This delay might be excused if the reply were in its form conciliatory. On the contrary, the note in places was insulting in terms and at no place gave an unqualified acceptance of the just demands of the United States.

Replying to the assertion of the American note that the submarine methods had resulted in the "indiscriminate destruction of vessels of all sorts, nationalities, and destinations," the German Foreign Office, having passed through the various stages of a quarrel referred to by Touchstone, finally reached the "lie direct" by the amazing statement that it emphatically repudiated the assertion, adding a charge that the United States had made a grave charge without any specification of facts. It then proceeds to repudiate to some extent the express pledge, which was given by Count Bernstorff to Secretary Lansing on September the first, that no "liners" should be sunk without preliminary compliance with the rules of international

law as to visit and seizure, by stating that it never agreed to limit its method of warfare "in the war zone surrounding Great Britain." It adds:

> With regard to these [meaning thereby "enemy merchant vessels" in the war zone] no assurances have ever been given to the Government of the United States.

This presented a remarkable culmination to a strange chapter of diplomatic history. At a time when the American Government was pressing for a disavowal of the sinking of the *Lusitania* and asking for explanations as to the *Arabic*, both destroyed in the so-called war zone, Count Bernstorff stated that he was authorized by his Government to give an assurance that "liners" should not be sunk without respecting the unquestioned principles of international law as to the safety of non-combatants. As all the vessels, of whose destruction the United States was then complaining, had been sunk in the war zone and included all classes of "liners," passenger or freight, and as its demands for a disavowal and cessation of these murderous practices had their principal reference to the war zone, the pledge of September 1st, phrased by the German Foreign Office *without respect to locality*, that "liners" should not be destroyed could only

have one meaning. If the war zone and enemy merchant vessels were to be exempted from the operation of the pledge, the German Foreign Office should have said so. That office never qualified that pledge, although its Ambassador in Washington did state some months later, on January 7, 1916, that in the Mediterranean, German submarines

> had from the beginning orders to conduct "cruiser warfare" against enemy merchant vessels only in accordance with the general principles of international law and in particular *measures of reprisal, as applied to the war zone around the British Isles, were to be excluded.*

Little attention was paid to these words at the time, but it is clear that as to the so-called war zone, Germany never intended to respect the principles of international law regarding warfare against merchant vessels, and that the pledge of September 1st, which wholly failed to give this warning, was a palpable attempt to deceive neutral nations by a misleading promise.

The quibble involved in the contention of the German note of May 5th did not relate so much to the waters within and beyond the so-called war zone as to the distinction, which the German Government after many months sought to

draw, between different classes of "liners." The German Government in its note of May 5th had attempted to convey the impression that the assurance which it gave on September 1, 1915, through Ambassador Bernstorff, only had reference to large passenger liners and did not give immunity to the ordinary freight vessels of belligerent countries.

In determining how far this distinction is justified, the dispassionate neutral will consider what is fairly implied in the meaning of the word "liner" and what impression was sought to be conveyed to the American Government by the use of that term.

The original use of this word applied to any merchant vessel which was large enough to be utilized in war in the line of battle; hence the word "liner." This meaning, however, is obsolete, and a liner now means any vessel which sails for any commercial purpose with reasonable regularity and as a part of recognized commerce. Thus, we speak of trans-Atlantic liners and coastwise liners; of passenger liners and freight liners. We would not call a gentleman's private yacht a liner, but any boat, whether it carries passengers or not, which sails upon schedule routes between ports and upon whose sailings the business world

relies, is a liner, whether it carries passengers or crosses the ocean or not.

Before Bernstorff gave his pledge of September 1st, that "liners" should not be sunk, vessels of different classes had been sunk. While the *Lusitania* was one of the great trans-Atlantic passenger liners, other boats, which had been the subject of the diplomatic protests, were mere freight carriers, and the protests of the United States had reference to both classes. The German Foreign Office had given its assurance that "liners" should not be sunk, and in the absence of some restrictive definition or other qualification, this could only mean that the vessels of commerce of any class would not be sunk without complying with the rules of international law and this pledge was irrespective of the presence of the "liner" in or without the so-called war zone.

When, therefore, the German Foreign Office in its note of May 5th denied that it had ever given any pledge with respect to enemy freight vessels in the war zone, it attempted a double quibble—a quibble on the word "liner" and a quibble on the locality of the sinking; and both quibbles were unworthy of a great nation and a tragic subject.

Thus more than eight months afterwards the

German Foreign Office disavows a pledge, publicly made in its name by its own Ambassador.

The note of May 5th then contained a gratuitously insulting sneer by suggesting its regret "that the sentiments of humanity, which the Government of the United States extends with such fervour to the unhappy victims of submarine warfare, are not extended with the same warmth of feeling" to the civilian population of Germany.

It is true that the last note of the German Government states that it has decided to make further concessions in the methods of submarine warfare, and renews its promises, *subject to immediate cancellation without warning*, to conform the activities of submarine warfare to international law both within and beyond the war zone, but what assurance can the United States have that these pledges will be better respected than their predecessors? How soon will the new condition arise, when, dissatisfied with America's dealing with Great Britain, Germany again murders its citizens on the high seas? For the present the pledge, caused by political considerations and the hope that America may pull diplomatic chestnuts out of the fire for Germany, may be sincere. But was this conditional and possibly temporary concession the "disavowal" of the *Lusitania*, which was demanded for a year past?

The Wilson Administration hastened to accept this conditional and in some respects insulting note and, while it rejected the implied conditions in vigorous and fitting terms, it swallowed the residue. In the Autumn of 1916 both the State Department and the German Embassy were emphatically denying that any "disavowal," such as the United States has insistently demanded, had either been made or accepted. It was then announced from Washington that the State Department was ready to resume the *Lusitania* negotiations. Nearly eighteen months gone and as yet neither disavowal nor atonement!

On the very heels of this announcement came the intelligence on the 9th of October, 1916, that a German submarine, appearing in American waters beyond the three-mile limit, had sunk five merchant vessels. In each case an abrupt warning was given and the submarine paused long enough before destroying the vessels to enable the passengers and crew to take to the life-boats. These vessels were sunk at distances from the mainland varying from forty miles to eighty miles. A typical instance was the sinking of the *Stephano*, a British vessel bound from Halifax, Nova Scotia, to New York. It contained ninety-four passengers, some of whom were American citizens and many

of whom were women and children. These passengers were at dinner, when at eight o'clock on Sunday night October 8th, the Captain of the *Stephano* suddenly appeared and ordered them to take immediately to the boats, as the ship was to be sunk. The boats were launched and some of the women and children were lowered by ropes and others were obliged to descend by rope ladders. The boats were then cast adrift and their occupants, thus floating on the dark surface of the waters at least sixty miles from the nearest land, saw the lighted steamer go to its watery grave. They were rescued by an American torpedo destroyer about twenty minutes after the passengers had taken to the boats.

As this book goes to press several weeks have elapsed and in that interval, although the Minister of Foreign Affairs for Holland has been swift to denounce the outrage, and the Government of Norway has forbidden access by submarines to its territorial waters, unless they remain on the surface and fly their flag, the Wilson Administration has been silent, excepting the semi-official intimations given to the press, that it has not yet found in this new raid upon neutral commerce any departure from the rules of international law.

This is the more surprising as in previous com-

munications the State Department was explicit in warning the German Government that it was as unjustifiable to jeopardize the lives of passengers as to sacrifice them, and that to put non-combatants in a boat on the high seas, far from land, was such jeopardy. Mr. Wilson had emphasized this both in his second *Lusitania* note and in his *Sussex* note, as follows:

On May 13, 1915, he said:

> The Government of the United States desires to call the attention of the Imperial German Government, with the utmost earnestness, to the fact that the objection to their present method of attack against the trade of their enemies lies in the practical impossibility of employing submarines in the destruction of commerce without disregarding those rules of fairness, justice, and humanity which all modern opinion regards as imperative. It is virtually impossible for the officers of a submarine to visit a merchantman at sea and examine her papers and cargo. It is virtually impossible for them to make a prize of her, and if they cannot put a prize crew on board of her they cannot sink her without leaving her crew and all on board of her to the mercy of the sea in her small boats. These facts, it is understood, the Imperial German Government frankly admits. We are informed that, in the instances of which we have spoken, time enough for even that poor measure of safety was not given and, in at least two of the cases cited, not so much as a warning was re-

ceived. *Manifestly submarines cannot be used against merchantmen, as the last few weeks have shown, without an inevitable violation of many sacred principles of justice and humanity.*

On April 19, 1916, he said:

> Again and again the Imperial Government has given its solemn assurances to the Government of the United States that at least passenger ships would not be thus dealt with, and yet it has repeatedly permitted its undersea commanders to disregard those assurances with entire impunity. . . . It has become painfully evident that the position which it (the Government of the United States) took at the very outset is inevitable, namely, *the use of submarines for the destruction of an enemy's commerce is, of necessity, because of the very character of the vessels employed and the very methods of attack, which their employment, of course, involves, utterly incompatible with the principles of humanity, the long-established and incontrovertible rights of neutrals and the sacred immunities of noncombatants.*
>
> Unless the Imperial Government shall now immediately declare and effect an abandonment of its present methods of submarine warfare against passenger and freight-carrying vessels, the Government of the United States can have no choice but to sever diplomatic relations with the German Empire altogether.

The German Government having thus sunk, almost within our territorial waters, five ships, with

the "poor measure of safety" already denounced by the United States in its note of May 13, 1915, as "utterly incompatible with the principles of humanity," the Wilson Administration, as this book goes to press, has again apparently acquiesced in the precise mode of naval warfare which this Government has repeatedly denounced, a mode of warfare which differs in degree and not in kind from the methods of Buccaneers in the Spanish Main.

Silent as to this fresh outrage, the Wilson Administration found in it a pretext for publishing a note, previously sent to the Allied Nations, warning them in substance that any destruction by their cruisers of an American submarine, on the mistaken supposition that it was a hostile submarine, would be at their peril, and the further notice that American ports would not be closed to submarines, which within the limitations applicable to other war vessels, could therefore replenish their stores of fuel and food and obtain by the purchase of a newspaper all needed information as to the movements of merchant vessels.

It may be suggested that the United States had little direct concern in this new submarine outrage, because all the destroyed vessels were of foreign registry. The United States, as every nation, has

a direct and vital stake in the preservation of international law. This common right and interest of all Powers in the law of nations was illustrated in 1861, when Captain Wilkes, in violation of international law, took from the British steamer, the *Trent*, the two Commissioners from the Confederate States. France and Prussia at once entered an emphatic protest against this course. Both nations regarded the seizure of Mason and Slidell as in violation of international law, the common heritage of civilization.

The note of Prussia, dated December 25, 1861, was signed by Count Bernstorff, who the author understands is the father of the present Ambassador to the United States. His clear assertion of the right and duty of every civilized nation to protest against any palpable invasion of international law, even though such nation is not directly interested in the particular transaction, is interesting and may be profitably commended to those Americans who feel that the United States had no such direct interest in the invasion of Belgium as justified the exercise of its moral authority by way of protest. The elder Bernstorff said:

> This occurrence, as you can well imagine, has produced in England and throughout Europe the most profound sensation, and thrown not Cabinets

only, but also public opinion, into a state of the most excited expectation. For, although at present it is England only which is immediately concerned in the matter, yet, on the other hand, it is one of the most important and universally recognized rights of the neutral flag which has been called into question.

I need not here enter into a discussion of the legal side of the question. Public opinion in Europe has, with singular unanimity, pronounced in the most positive manner for the injured party. As far as we are concerned, we have hitherto abstained from expressing ourselves to you upon the subject, because in the absence of any reliable information we were in doubt as to whether the Captain of the *San Jacinto*, in the course taken by him, had been acting under orders from his Government or not. Even now we prefer to assume that the latter was the case. Should the former supposition, however, turn out to be the correct one, we should consider ourselves under the necessity of attributing greater importance to the occurrence, and to our great regret we should find ourselves constrained to see in it not an isolated fact but a public menace offered to the existing rights of all neutrals.

"Remember the *Maine*" was once a rallying cry of potent force; and it awakened in the soul of a proud people the passionate resolve to end forever the misrule of Cuba.

"Remember the *Lusitania!*" Yes; it, too, will

be remembered by the American people—not with a proud consciousness of a work well done, but with the humiliating recollection of a great work for humanity long deferred through the strange inaction and timid counsels of those officials, to whom the dignity and honour of the Republic were for the time being committed.

The review of the submarine controversy in the first edition of this book was brought down to October, 1916, when the German Government gave to the United States a significant intimation as to the future possibilities of such warfare by sinking, in violation of its pledges and in the very teeth of the protest of this Government, five merchant vessels off Nantucket Island with scant regard for the requirements of international law as to the safety of the crew and passengers.

This has since been followed almost daily by the destruction of merchant vessels, both of the belligerent and neutral nations, and the instances of this ruthless mode of warfare were so numerous that it is difficult and at times impossible for the dispassionate observer to ascertain in each case whether the requirements of international law were complied with.

It is, however, certain that a German submarine on November 7, 1916, sank the Peninsula and Ori-

ental liner, the *Arabia*, carrying over four hundred and fifty passengers, including over one hundred and fifty women and children, without any warning. Fortunately no lives were lost, but the fact that their lives were put in jeopardy is beyond dispute.

The *Marina* was destroyed on October 30, 1916, with a like disregard by Germany of its pledges and the requirements of international law. Many lives were lost, including six American citizens.

On November 8th, the American steamship, the *Columbian* was sunk, and the crew set adrift in open boats, but within a reasonable distance from the shore.

The *Chemung*, also an American vessel, was sunk on November 28, 1916, but in this case due provision was made by the submarine for the safety of the captain and crew and this incident is only mentioned because of the striking and symbolical incident which attended it, when the captain of the submarine ordered the captain of the *Chemung*, to haul down the American flag before the vessel was sent to the depths of the sea. The captain was an old-fashioned American, and refused to submit to this ignominious demand and the *Chemung* was torpedoed and sunk beneath the surface of the sea with the American flag floating at her masthead. His example could be profitably com-

mended to that class of provincial Americans—fortunately a minority—to whom the lowering of their country's flag has seemed in the last two years so trivial a matter.

It thus appears that notwithstanding the specific warning of the United States, that if Germany persisted in ruthless submarine warfare it would be held to a "strict accountability," the German Government, beginning with March 28, 1915, when it sank the *Falaba* and continuing until December 1, 1916, had repeatedly and continuously destroyed merchant ships, both of the belligerent and neutral nations, without preliminary visit or search and with so little regard for the lives of noncombatants, including women and children, that thousands have already perished. As a consequence, the Wilson Administration did not conceal its somewhat tardy but growing conviction that the German Government did not intend to respect its solemn promises to the United States, but even this justifiable, although long belated, conviction did not arouse President Wilson to the necessity of any action.

So far as the preservation of peace was concerned, this policy of acquiescence, which at least seemed to accept a shameful *impasse* in America's controversy with Germany, had an unfortunate re-

flex influence in that nation, which now became convinced that under no circumstances would the United States proceed to war. It therefore determined to resume an unrestricted submarine warfare in the confident belief that the United States would do nothing more than protest. Its purpose was even more far-reaching. It saw in the indisposition of the Wilson Administration to defend the vital interests of the United States an opportunity for political blackmail. In almost complete possession of Belgium and the northern part of France, the latter containing invaluable mineral resources, Germany determined that the time was opportune to bring about negotiations for peace, which could only result in Germany emerging from the world-war as a virtual victor and with increased prestige as a world power. To this end it would probably have been willing to surrender Belgium and northern France for a suitable indemnity, if it were left free to pursue its Mittel-Europa policy.

Before initiating the peace negotiations, in which she hoped to secure more than on the field of battle, Germany had awaited some signal triumph, which would enable it to suggest the terms of peace with the magnanimity of a seeming victor.

This was the true significance of its tremendous assault upon Verdun. That eastern fortress of France was in itself insignificant, but it was felt that if the Kaiser or the Crown Prince could enter Verdun as victor, Germany could then with seeming magnanimity propose the terms of peace, which would make it the first Power in the world. Unfortunately for Germany, the terrific assault upon Verdun—the greatest in the history of the world—failed after six months of terrific combat and after Germany had sacrificed at least 600,000 of her effectives.

The ill-timed entry of Roumania into the war and its swift defeat by the Central Powers gave the long-desired opportunity. Confident that the United States, under the pressure of a threatened war, would further these peace proposals, Germany, on December 12, 1916, made overtures for peace but on conditions and under pretences that made it impossible for the Entente Powers to entertain them. The conditions were fatal to any peace with victory for the Allies and the pretence was the unwarranted claim that Germany was the virtual victor on the field of battle.

Six days later President Wilson, although frequently warned unofficially by the Entente

Powers that the intervention of America to bring about peace would be regarded as unfriendly, issued on December 18, 1916, an identic communication to all the belligerents inviting them to state the terms of peace. The communication was inconsiderate in intimating that this country and its President were in ignorance as to the causes and issues of the conflict, and that the objects of the war, as stated by the several belligerents, disclosed no substantial differences in purposes and objects.

This naturally incensed the publicists of the Entente nations, however much for prudential reasons their press was induced to put a soft pedal on too outspoken criticisms.

Germany promptly refused to state its terms except at a peace conference, while the Entente Powers on January 11, 1917 stated their terms, which in their sweeping demands were such as only a victor could impose and a completely vanquished foe accept.

Thereupon on January 27, 1917, President Wilson, nominally addressing the Senate of the United States, but in effect the whole world, stated, in an ill-timed but eloquent rhapsody on peace, the terms upon which *after the war was over* the United States would abandon its policy of isolation and

join all nations in ensuring the future maintenance of peace. The strength and value of this extraordinary document lay in its frank recognition that the United States could no longer sit silently by, while a conflagration was raging throughout civilization.

Its weakness lay in the fact that with incredible tactlessness President Wilson stated that this country would not co-operate with other nations in the future maintenance of peace, unless the present war was permitted to end in a "peace without victory." He gave his own interpretation to this most unfortunate phrase. It was to be such a peace as would not permit the victor to impose terms upon the vanquished. In other words this war was to end in a compromise, and to be regarded hereafter by posterity as a drawn battle in which there was neither victor nor vanquished. No other practical meaning can be given to this unfortunate statement.

If, after the war is over, there is neither victor nor vanquished, such result would mean a condonation of the worst crimes of modern times, a compromise of necessary demands for future peace and security, and at best a possible exchange of material advantages, which would be a most inadequate return for infinite sacrifices. No

belligerent would accept such a result, except under the duress of inevitability, and if they did, the millions of soldiers, who have undergone infinite suffering in the trenches to secure a result of enduring value, would call their recreant governments to a stern account.

The effect of this *pronunciamento* upon nations, which have sacrificed billions of treasure and millions of lives, can readily be imagined. That this result should not have been anticipated by the distinguished draftsman of the message passes comprehension.

It is true, as the President says, that ordinarily a victory imposed upon the vanquished leaves behind it resentments and bitter memories, which are ill calculated to bring about permanently peaceful relations, but the present war is of that nature that in my judgment by no conceivable possibility can good-will come among the belligerent nations for another generation. The wounds are too deep, the intensity of feeling too great, and, above all, the clash of ideals is too acute and irreconcilable for these two groups of nations to end the war in a spirit of reconciliation. To expect otherwise is to expect the impossible.

No one can ignore the tragic feelings of millions of peoples, who have suffered the bitterest

losses in treasure and life, and whose bitterness would be infinitely increased, if they were forced to believe that these sacrifices had been in vain. The author has stood in the trenches with the brave soldiers of Britain and France and knows full well how bitterly they would scorn a "peace without victory."

Such a "lame and impotent conclusion" would leave a spirit of dissatisfaction among the European nations so acute that such a so-called peace would be only a truce, and a very short truce at that.

Indeed, it is very probable that it would cause such profound unrest among the masses of the European nations that revolution would rock more nations than one, and Europe might witness an internal upheaval, greater in sorrow and terror than anything the world has yet witnessed.

Apart from these objections to President Wilson's visionary ideal of "peace without victory," the graver and more fundamental objection is that it ignored the fact that this war is not a mere sordid struggle for territory, but a gigantic clash of conflicting ideals. There is an everlasting right and an everlasting wrong about this stupendous war, and unless the right shall triumph a liberal civilization may perish in the world.

The necessary moral triumph cannot be gained by mere exchanges of territory or the trading of economic advantages, much less by phrases and platitudes. The cause of international justice can be vindicated only by a clear demonstration on the field of battle that such cause is more powerful than the forces which have flouted the reign of law in international relations. Nothing is more idle than the suggestion that Prussia could be turned from her ways by an exchange of advantages. "Blood is her argument" and force her ideal, and only by force and utter defeat will her imperious will be defeated and her insatiable lust rendered innocuous.

An inconclusive peace would compromise the ideals of civilization, and put the twentieth century on the moral level of the sixteenth. It would crucify the cause of international justice afresh and put it to an open shame. It would be a wanton insult to the dead, who have given—to use Lincoln's fine phrase—"the last full measure of their devotion."

The practical effect of President Wilson's peace overtures cannot be ignored. Germany had for the moment the clear advantage of its diplomatic intriguing. The morale of her opponents was temporarily impaired by the ill-timed and mis-

guided attempts of the United States to force peace negotiations.

That President Wilson had in his note of December 18, 1916 and later in his peace rhapsody of January 27, 1917, a deliberate purpose to influence, if not force, the commencement of peace negotiations was indicated by the fact that he attempted through the American Ambassador in Madrid to induce Spain and through other channels other neutral nations to join with him to this end. That success was anticipated in the first of these peace manœuvres is evidenced by the fact that Ambassador Gerard, on his return a few weeks later to his post at Berlin, assured the German statesmen, generals, and admirals at a public dinner, given in his honour in that city on January 6, 1917, that "never since the beginning of the war have the relations between Germany and the United States *been as cordial as now*," and added that the President's note of December 18th could be regarded by Germany as "an olive branch." This was on the very eve of Germany's resumption of unrestricted submarine warfare. How "cordial" the relations were the Ambassador was to realize in less than three months, when for a week he was virtually a prisoner in Berlin.

The disastrous effects of this misguided attempt

at intervention, which might have followed, can be measured by the fact that if the allied governments had not been sufficiently strong to resist the suggestion of a peace conference and if such a conference had been held at that time, it is at least possible that by skilful diplomacy the Central Powers would have driven a wedge between the Allies and thus detached Russia. Great Britain and France had been fearful of this result as far back as the summer of 1916. They had frequently intimated, officially and unofficially, that the intervention of America to bring about peace was not desired and could only result in harm to the cause of international justice. Lloyd George after his appointment as British Premier had intimated in a very striking speech that the war must be a fight to the finish, while the rallying cry of France remained "*Jusqu'à bout.*"

What was the real purpose of President Wilson's intervention, probably the most tactless and unwise in the annals of American diplomacy, for if it had been successful and the war had ended in a stalemate no nation would have hazarded more than the United States, for it may well be doubted whether in that event it would have had a real friend in the world, and its unexampled wealth—multiplied by the necessities of the war—would

have made it a natural target for suffering and distracted nations?

At present no final answer can be given, for the purpose of the attempted intervention and the so-called peace message are fully known only to its distinguished draftsman. The only explanation that can now be plausibly offered is that it was President Wilson's last despairing attempt to avoid the entry of the United States into the war. This explains, but does not justify, an attempted mediation, which the Allies not unnaturally regarded as a stab in the back by a professed friend.

The injurious effects of the peace rhapsody would have been even greater, if the internal conditions in Great Britain and France had been more favourable to dissension than they were. Fortunately the determination of both nations to prosecute the war to a victorious conclusion was too fixed to permit any internal reaction against a continuance of the war.

In Russia, however, the ideal of a "peace without victory" was unfortunately not without appreciable result. It contributed to the destruction of Russia's *morale* and the confusion of its aims, with a consequent demoralization of its civilians and armies. The Russian Socialists

took up the cry of a "peace without annexation or indemnity" and as this revised edition goes to press the cause of the Allies has suffered a serious injury in the inaction of the Russian armies on the eastern front, and the sharp division which exists between different Russian classes and parties on this vital point.

So far as America was concerned, this was the darkest hour to those who saw the interests and the future of their country with a clear vision. Its prestige was at the lowest ebb.

It would be well for America if this unfortunate episode in its diplomatic history could be wholly forgotten, but its lesson should not be lost, for when the victory is finally won and the peace conference begins, the United States should then avoid its former error and not attempt to influence, much less dictate, an inconclusive peace to its present Allies, who for nearly three years have borne the heat and burden of the terrific contest. If "the world is to be made safe for democracy," to use President Wilson's fine phrase, then the Allies must make the terms of peace so conclusive that Prussia may never within the lifetime of any living man have even the power to attempt another treacherous assault on Civilization.

Just as the United States was committed to a policy of "peace without victory," which sooner or later might have forced the belligerents into premature negotiations, Germany issued, on January 31, 1917, a notice to the neutral nations and especially to the United States, that its pledges with respect to submarine warfare were withdrawn and that she now proposed to "run amuck" on the high seas and destroy all merchant vessels within so-called zones of operation around England, France, and Italy.

The threat was especially insulting to the United States in its suggestion that that country could operate once a week a passenger steamer to England, provided it was painted from stern to bow in stripes and this country would guarantee among other ignominious conditions that it did not carry any contraband.

This proved the last straw. President Wilson on February 3, 1917, handed the German Ambassador his passports and recalled the American Ambassador from Berlin. He explained this action to the American people and the world in a speech which lacked neither force nor dignity. The address concluded with this guarded warning:

> I cannot bring myself to believe that they [the German Government] will indeed pay no regard

PROCLAMATION

Il est strictement défendu aux habitants de tout sexe de quitter leurs maisons tant que cela n'est pas absolument nécessaire pour faire de petites courses, afin d'acheter des vivres ou abreuver le bétail. De nuit il est absolument défendu de quitter les maisons dans toutes les circonstances.

Quiconque essaie de quitter la localité, de nuit ou de jour, sous quelque prétexte que ce soit, sera fusillé.

Arracher les pommes de terre ne peut se faire qu'au consentement du Commandant et à la surveillance militaire.

Les troupes allemandes ont l'ordre d'exécuter strictement ces dispositions, par des sentinelles et des patrouilles, qui sont autorisées à tirer sur quiconque manque à cette disposition.

Aout 1914

Le Général Commandant en Chef.

to the ancient friendship between their people and our own or to the solemn obligations which have been exchanged between them and destroy American ships and take the lives of American citizens in the wilful prosecution of the ruthless naval programme they have announced their intention to adopt. *Only actual overt acts on their part can make me believe it even now.*

If this inveterate confidence on my part in the sobriety and prudent foresight of their purpose should unhappily prove unfounded; if American ships and American lives should in fact be sacrificed by their naval commanders in heedless contravention of the just and reasonable understandings of international law and the obvious dictates of humanity, I shall take the liberty of coming again before the Congress, to ask that authority be given me to use any means that may be necessary for the protection of our seamen and our people in the prosecution of their peaceful and legitimate errands on the high seas. I can do nothing less. I take it for granted that all neutral governments will take the same course.

This expression of "inveterate confidence" in Germany's "sobriety and prudent foresight," amazing in view of the persistent, continuous, and deliberate actions of that nation, found no response in Berlin. The German Government had definitely determined to stake all upon a policy of unrestricted submarine warfare.

The echoes of the address had hardly died away when fresh outrages were committed on the high seas by German submarines, involving the loss of American lives and property. The *Housatonic* and *Lyman M. Law*, both American vessels, were sunk without search or seizure. In vain American shipowners appealed to Washington for permission to arm their ships or for convoys to protect them in their acknowledged rights, but no protection was given. As a consequence their ships remained at their docks, American ports were virtually blockaded, and as President Wilson subsequently said in his message of February 26, 1917, a "very serious congestion of our commerce resulted, a congestion which is growing rapidly more and more serious every day."

On February 26th, the President addressed Congress and to the amazement of the nation and the world, said "*that the overt act which I have ventured to hope the German commanders would in fact avoid, has not occurred.*"

He thereupon asked Congress for authority to defend the commerce and lives of the American people, although he simultaneously expressed the opinion that he undoubtedly already possessed that authority "without special warrant of law by the plain implication" of his constitutional

duties and powers. Even then he disclaimed any intention of "*proposing or contemplating war or any steps that lead to it.*" His specific recommendation was that he should be given express authority to arm American merchant ships.

The Congress, which was then in session, was drawing to its close. Its powers would terminate on March the 4th. This attempt to secure authority, which admittedly he did not need, resulted in an acrimonious debate, the prolongation of which by a small group of Senators prevented the passage of the legislation and as a result the American nation in the eyes of the world seemed more than ever a floating derelict upon a stormy sea of world passion.

Congress adjourned on March the 4th and a further delay of nearly four weeks resulted, in which the German submarines were not inactive. On March the 14th the American steamship the *Algonquin* was attacked without warning and sunk. The *Laconia* and the *California*, carrying American passengers, were sunk under similar circumstances, and in the bitter weather that then prevailed women and children were cast adrift upon the high seas in open boats with the result that many perished from exposure. On March 19th, three American ships, the *City of Memphis*, the

Illinois, and the *Vigilancia*, were also sunk and fifteen members of the *Vigilancia's* crew perished.

The long period of suspense—for the silence of the White House gave no indication to the American people whether any of these events were regarded by the President as the "overt act"—was at length ended when, on March 21, 1917, the President summoned Congress to meet in extra session.

In the meantime events had taken place which from the standpoint of international law and the comity of nations were even more grave than the submarine outrages.

The President, after handing the German Ambassador his passports, had recalled the German Ambassador from Berlin. The American Government had ensured the safe departure of Count von Bernstorff, the German Ambassador, with the utmost punctiliousness. Not only was his safeguard through the English blockade secured but he was even allowed to take with him Von Igel, one of the criminals attached to his staff, who was then under indictment for serious violations of American laws and whose bail bond was cancelled to enable him to leave with his superior. The American Ambassador in Berlin was in the meantime held incommunicado for nearly a week,

his mail and all power of communication denied him either to his home Government or to American consular agents in Germany.

A more flagrant violation of the courtesy of nations resulted when the German Government refused Ambassador Gerard his passports, unless and until he, in behalf of his country, reaffirmed an obsolete treaty between Prussia and the United States, and this notwithstanding the fact that with his recall Ambassador Gerard was no longer legally competent either to affirm or disaffirm the treaty.

To characterize fittingly this gross breach of international law, it is only necessary to employ the words, which the German Kaiser addressed to his army on July the 21st, 1900, when it left for China to avenge the murder in the streets of Pekin of the German Ambassador. On that occasion the Kaiser said:

> A great task is waiting for you. You are to right the grievous wrong which has been done. The Chinese have overthrown the law of nations in a way which has never been heard of in the history of the world, *for they have scorned the duties of hospitality and the sanctity of the Ambassador. This is the more revolutionary as this crime was committed by a nation which is proud of its ancient kultur.*

In order that the German expeditionary force should be "the avengers of this abomination," the Kaiser advised that they should "give no pardon" and added "that no prisoners be taken" and ended this exhortation of Apache-like vengeance by the words:

> Use your weapons in such a way that for a thousand years no Chinese shall dare to look upon a German askance.

The offence, which called forth this fiery exhortation, was the murder of the German Ambassador by some irresponsible Chinese rebels, while the indignities heaped by Germany upon M. Jules Cambon at the beginning of the war and later upon Ambassador Gerard, were the deliberate acts of a reputedly civilized government.

The reader will determine to which of these instances the fervid language of the Kaiser is most applicable.

Congress assembled on April the 2d and on that day the "wheel had come full circle." Addressing himself to Congress, as the war-making power of the American nation, President Wilson delivered an address, whose nobility in sentiment and power of expression justly won the admiration of the world.

No summary of this address can give any adequate idea of its vigour or felicity. As it is its own best gloss and commentary, it is printed as an appendix to this book (p. 385).

This great and epoch-making State paper had but one defect. It was its date. It was long overdue. For the present our self-complacency as a nation ignores this fact, but History has a long memory.

Some of my readers will dissent to this. Others will resent it. It will be suggested that President Wilson, throughout the entire controversy, simply refrained from action in order to prepare his nation to enter the war with substantial unity of purpose. Already the legend is in process of creation that the policy of neutrality was merely intended to give time for preparation, spiritual and material, and that President Wilson at all times intended to bring his country into the war at the opportune moment when he could be assured of a united nation.

The author cannot accept this view and does not think that it will bear the acid test of history.

To accept it is to frame the very gravest indictment of President Wilson's sincerity and wisdom.

His sincerity is called in question when his many declarations are recalled, in which he dis-

claimed with the greatest emphasis any intention of bringing the United States into the war.

Thus as late as February the 26th, 1917, when he asked Congress for authority to arm merchantmen, he emphatically disclaimed any intention of "proposing or contemplating war or any steps that lead to it" (ante, p. 209).

No true friend of President Wilson should suggest that when at the beginning of the war he urged his countrymen to be neutral not only in word and deeds *but even in thought*, when he continuously emphasized the assertion that to the causes and objects of the war America had no just relation, and finally appealed to his fellow countrymen to re-elect him upon the principal ground that he had kept them out of war, that these ideals of peace and material prosperity were voiced with the *arrière-pensée* of committing his nation to the ordeal of battle when the time seemed opportune. These unwise eulogists of the President should recall his deliberate opinion, expressed long after the war began and to a notable audience, when he said of the war:

> "With its causes and its objects we are not concerned. The obscure fountains from which its stupendous flood has burst forth *we are not interested to search for or explore.*"

Could the policy of neutrality, material and moral, be more strongly emphasized? To suggest that the President did not mean this disclaimer of intellectual or moral "interest" in the underlying causes of the world war is to impute such double dealing as would cause Machiavelli to hide his diminished head. I prefer to believe that the President was then sincere but mistaken.

Such a theory is an even graver impeachment of his sagacity as a statesman, for if it had been at all times the intention of President Wilson to lead his country into war, when it had sufficient unity of spirit, then his failure to prepare the country for war by adequate additions to its small army and his greater failure to prepare the mind of his country for its inevitable entry into the war, would have been a stupendous error, approaching a crime, which should not be lightly imputed to any responsible statesman.

This legend constitutes an even graver indictment of the American people. It in effect suggests that President Wilson was at all times ready to lead his people into the world-war but that the American people were not ready to follow. To the author the contrary seems true. Possibly after the invasion of Belgium, probably after the sinking of the *Lusitania*, certainly after the

sinking of the *Sussex*, a preponderating majority of the American people were ready, if their government so willed, to vindicate the rights of their citizens and to demand reparation for past outrages.

Undoubtedly the entry of America in the world-war after the sinking of the *Lusitania* would have met with greater opposition among the German-American element and there would have been a more vigorous opposition to a declaration of war by a minority of Congress; but it is a settled habit of the American people to follow their chosen leader in all foreign policies.

For this reason and unless the American people have lost their ancient spirit, they would have followed President Wilson's call to arms at any time, certainly after the sinking of the *Lusitania*.

President Wilson's call to arms would have had a more enthusiastic response in May, 1915, for then the passionate sense of indignation of the American people had not been deadened by the peace-at-any-price propaganda and America's sense of pity had not been "choked by *custom* of fell deeds."

This conclusion, about which men of equal candour and patriotism may reasonably differ, is

AVIS

(Texte français)

Tous les habitants de la maison, à l'exception des enfants au-dessous de 14 ans et de leurs mères, ainsi qu'à l'exception des vieillards, doivent se préparer pour être transportés dans une heure et demie.

Un officier décidera définitivement quelles personnes seront conduites dans les camps de réunion. Dans ce but, tous les habitants de la maison doivent se réunir devant leur habitation : en cas de mauvais temps, il est permis de rester dans le couloir. La porte de la maison devra rester ouverte. Toute résistance sera inutile. Aucun habitant de la maison, même ceux qui ne seront pas transportés, ne pourra quitter la maison avant 8 heures du matin (heure allemande).

Chaque personne aura droit à 30 kilogrammes de bagages; s'il y aura un excédent de poids, tous les bagages de cette personne seront refusés sans égards. Les colis devront être faits séparément pour chaque personne et munis d'une adresse lisiblement écrite et solidement fixée. L'adresse devra porter le nom, le prénom et le numéro de la carte d'identité.

Il est tout à fait nécessaire de se munir dans son propre intérêt d'ustensiles pour boire et manger, ainsi que d'une couverture de laine, de bonnes chaussures et de linge. Chaque personne devra porter sur elle sa carte d'identité. Quiconque essaiera de se soustraire au transport sera impitoyablement puni.

ETAPPEN-KOMMANDANTUR.

Lille, Avril 1916.

stated with full recognition of the vigour and courage, with which President Wilson finally recognized the deliberate purpose of Germany to trample laws, human and divine, under foot.

Whether his previous policies had been wise or unwise, they do not impair the value and vigour of his final action. In one sense they add to its nobility, for it is a brave and sagacious statesman who reverses a mistaken policy. "Consistency is the stumbling block of fools and the bugbear of cowards," and it should be a source of gratification to every American that its President, having followed for nearly three years a fatuous and untenable policy, courageously recognized his error by its complete reversal.

Nor will past errors deny to President Wilson a conspicuous position in History in one of its greatest crises, for under his leadership America's vast resources, moral and material, have been placed at the disposal of the Allies, and it is not unlikely that this stupendous contribution to the sum total of their resources will be the determining factor in the titanic conflict.

The United States, under his leadership, has broken with its past. Formerly a hermit nation, it has now become a true master state of the world, to use Pitt's fine phrase. No longer an isolated

State, it is destined to play a commanding part in the great drama of History.

The future ages may recognize President Wilson's address to Congress on April 2, 1917, as the turning point in American history. His indecision in the past will be largely forgotten in the courage and vigour of his final action. As compared with his final action in committing this nation to the sacred cause of civilization, his former indecision will only weigh as dust in the scales. Who now remembers the apparent indecision which marked America between the Secession of South Carolina and the firing on Fort Sumter? History prefers to remember the call for volunteers, which Lincoln issued as a blast of a trumpet in 1861. *Finis coronat opus.*

With one brave and sagacious utterance, President Wilson led the American people, who had floundered for nearly three years under his too timid leadership in the "slough of despond" of a barren neutrality, out of the morass and to the higher and surer ground of a lasting and beneficent world influence.

It was but a new and resplendent chapter in the epic story of America. Colonial America became independent under Washington, continental under Jefferson, united under Lincoln, and now cos-

mopolitan, to a degree never hitherto attained, under Woodrow Wilson.

Admirable as is the President's telling statement of our just quarrel with Germany, the practical suggestions which the message makes are even more commendable.

Every previous trace of timidity has vanished. The hand that now grasps the helm of State seems a sure and firm one. All suggestions of a lukewarm policy, such as the fatuous but very recent suggestion of "armed neutrality," are now abandoned. President Wilson faces the crisis with a new and resolute spirit. He remembers the advice of Polonius, that while we should beware of entrance into a quarrel, yet, being in it, we should so bear ourselves that our opponent may beware of us. The address leaves in this respect nothing to be desired. A democrat, President Wilson now resembles the soldier, Jackson, more than the pacifist, Jefferson. "Old Hickory" would have cheered his successor's final action to the very echo.

No one could ask more than the President's suggestion that the situation requires

> the utmost practicable co-operation in council and action with the Governments now at war with Germany.

He does not suggest, as so many lukewarm patriots have done, that this co-operation should take no higher form than the function of the money lender.

To President Wilson the extension of liberal financial credits to the European Governments is a mere "incident" to the "*utmost practicable co-operation in council and action.*"

This means, in plain language, a working alliance—even though temporary—with the European democracies. It is one of those "temporary alliances" which Washington advocated for "extraordinary emergencies."

But the alliance is to be more than temporary. The message states that,

> a steadfast concert for peace can never be maintained except by a partnership of democratic nations. *No autocratic Government could be trusted to keep faith within it or observe its covenants.* It must be a league of honour, a partnership of nations.

No more significant statement has appeared in an American State paper for years. It foreshadows the true "League to Enforce Peace," the permanent alliance of the democratic nations of civilization. In this is no suggestion of a league to enforce peace, in which all nations, without

respect to their forms of government or their standards or ideals, can be equal parties. President Wilson significantly adds that the fruits of victory must be permanently secured hereafter and the peace of the world preserved by a true "partnership" of democratic nations, from whose councils autocratic governments must be excluded because of their irresponsible and untrustworthy character.

No feature of this message seems to me more notable than this impressive and far-reaching statement. It accords with the set purpose of the statesmen of the Allies, even though they have not yet clothed it in formal words, *that the Hohenzollerns must follow the Romanoffs.*

To those of us, who have insistently maintained that there can be no just atonement for the crime of the *Lusitania* as long as the Hohenzollerns retain their throne, President Wilson's plain intimation that autocratic governments shall be excluded from the "partnership of democratic nations" is most gratifying. Although the felicity of his diction requires no gloss or commentary, his sympathetic reference to the revolution in Russia makes President Wilson's intention clear to the mind of the world. When he finely says that a democratic Russia "is a fit partner for a league of

honour," he is in effect suggesting that a Prussianized Germany is not such a partner and that, with or without respect to the end of the war in a strictly military sense, there can be no real peace in civilization while the Hohenzollerns autocratically direct the destinies of the teutonic peoples.

This thought is even more strongly emphasized by President Wilson's strong disclaimer of any hostility to the German people here and in Germany. He nobly puts our participation in the war upon the very highest plane, when he assures the men and women of German birth in the United States that they will continue to have our friendship and sympathetic consideration. This attitude is in marked contrast to the former policy of justifying the inaction of our Government on the ground of danger of internal dissension.

That the German-Americans were ever disloyal as a class is not true and never was true. The writer was one who consistently contended that nine tenths of all German-Americans were loyal to this country and that a considerable majority of them were not sympathetic with the Hohenzollern rule and that a numerous minority—far greater in number than has generally been imagined—were even sympathetic with the cause of the Allies. It was a libel upon our German-

American population to make them the pretext and justification of a timid policy in our foreign affairs.

The concluding sentence of President Wilson's message was very felicitous. It is a paraphrase of Luther's immortal statement at the Diet of Worms. ("Here I take my stand. I cannot do otherwise. God help me.")

This memorable statement, which proved one of the turning points in history, proclaimed something more than the quarrel of a monk with his ecclesiastical superiors. Luther represented the democratic spirit of Germany which was then rising against the arrogance of autocratic power as represented by the Kaiser Charles V. .

President Wilson by this happy paraphrase reminded the German-Americans of our country and the German people that the best spirit of Germany is not that of the Hohenzollerns or of the Junkers, but of the quiet, patient, long-suffering German *Michel*, whose worst fault is the extreme to which he carries the docility of discipline, his excessive love of authority, and the avidity with which he accepts all that a censored press tells him. A censorship of the press has stifled for three years the voice of the nobler Germany, but that voice, silenced as it may be when a Liebknecht is im-

prisoned, will yet be heard. The land of Goethe and Schiller, Bach and Beethoven, Dürer and Holbein, Humboldt and Lessing, is not dead. It is only for the moment gagged and stifled. The cry of the German people is that of the dying Goethe: "*More light!*" When they recognize, as recognize they must at no distant date, that there can be no peace for them and no resumption of friendly relations with the rest of the world until they have rid themselves of the incubus of Hohenzollernism, then will come in very truth the reckoning.

Even a governmental press—next to the Hohenzollerns the greatest curse of Germany—cannot silence the mutterings of the coming storm in that land of horrors. The Russian convulsion will find its reflex in a land where the greatest political party in numbers, the so-called Socialists, are those of democratic tendencies, and bravely, under the most trying conditions, represent the opposition to Prussian tyranny. The hand of the crippled cobbler of Zabern will yet be mightier than that of the Crown Prince. As Longfellow sang of Germany many years ago:

> "Not thy councils, not thy Kaisers,
> Win for thee the world's regard.
> But thy painter, Albrecht Dürer,
> And Hans Sachs, thy cobbler-bard."

Germany's high qualities of courage, steadfastness, and infinite self-sacrifice are worthy of all praise. I venture the prediction that no nation will ultimately profit more by the stupendous sacrifices of this war. It only needs to be relieved from the incubus of Hohenzollern tyranny to become an infinitely greater people than its poets, prophets, and seers have ever dreamed, while with the Hohenzollerns dominating its destinies with mediæval despotism, it will not have a true friend in the world. The continuance of that despotism is a menace to democracy and civilization. As the cry rang through Europe in 1814, "enough of Bonaparte!" so let the cry now sound through civilization in the words of Voltaire, "*Ecrasez l'infâme!*"

That day of deliverance is measurably nearer realization since Woodrow Wilson committed his great nation to the ordeal of battle and counselled his countrymen to unsheathe the sword of America in order, to quote his inspiring words,

> to fight thus for the ultimate peace of the world and for the liberation of its peoples, *the German peoples included;* for the right of nations, great and small, and the privilege of men everywhere to choose their way of life and of obedience. *The world must be made safe for democracy.*

V

BELGIUM AND THE CAVELL TRAGEDY

"The murderer has but one hour,
The victim has eternity."

—LAMARTINE.

V

BELGIUM AND THE CAVELL TRAGEDY

THOSE who have regarded the Supreme Court of Civilization—meaning thereby the moral sentiment of the world—as a mere rhetorical phrase or an idle illusion should take note how swiftly that court—sitting now as one of criminal assize—has pronounced sentence upon the murderers of Edith Cavell. The swift vengeance of the world's opinion has called these criminals to the bar, and in executing them with the lightning of universal execration has forever degraded them.

The World Court of Public Opinion is in no doubt as to the fact or gravity of the crime, but as yet it has not been able with complete accuracy to apportion the relative responsibility of those who participated in this foul murder. This is due to the fact that the German Government has not disclosed to the world the exact nature of its military Government in Belgium.

It is generally known that General Baron von Bissing is the Civil Governor of Belgium, but as

the entire government is in its nature a military one, little comfort can be drawn from the administrative distinction which the German Government draws on occasion between the acts of von Bissing, as the Civil Governor of Belgium, and General von Sauberzweig as the Military Governor. The higher authority in Belgium is von Bissing, but the extent to which the Military Governor is subject to him is unknown except to the General Staff.

When the world called to the bar of public opinion the murderers of Edith Cavell, the Kaiser summoned von Bissing to the Imperial headquarters to explain the nature of the tragedy. It was therefore not unnatural that the world visited the whole responsibility of the tragedy upon von Bissing; but it is possible that he may have received more than his due share of the obloquy, for while the civil government of Belgium is in his keeping, purely military measures are apparently under the control of General von Sauberzweig, whose signature to the findings of the alleged judicial court finally condemned Edith Cavell to death.

Von Bissing, however, cannot escape some share of the obloquy by claiming that it was not within his province to revise the sentence pronounced by

von Sauberzweig, for as will hereafter appear, the American Legation earnestly pleaded with his subordinate, Baron von der Lancken, who was in charge of the Department of Foreign Affairs, to telephone or telegraph the Kaiser, and von der Lancken, in behalf of von Bissing, refused to do this, upon the false pretence that even the Kaiser could not override the finding of the Military Tribunal, as finally sanctioned by von Sauberzweig. Von Bissing's part in the crime may therefore be no greater than that of Pilate, who sought to wash his hands of innocent blood; but von Sauberzweig will enjoy "until the last syllable of recorded time" the unenviable fame of Judge Jeffreys. He, too, was an able judge and probably believed that he was executing justice, but because he did not execute it in mercy, but with a ferocity that has made his name a synonym for judicial tyranny, the world has condemned him to lasting infamy, and this notwithstanding the fact that he was made Chief Justice of the King's Bench, Lord High Chancellor of England, and a peer of the realm. All these titles are forgotten. Only that of "Bloody Jeffreys" remains.

Similarly, if his master shall be pleased to honour General von Sauberzweig with the iron cross for his action in the case of Miss Cavell, as the Kaiser

honored the Captain of the submarine which destroyed the *Lusitania*—and what order could be more appropriate in both cases than the Cross, which recalls how another innocent victim of judicial tyranny was sacrificed?—then even the Order of the Iron Cross will not save von Sauberzweig from lasting obloquy.

I do not question that he acted according to his lights and shared with Dr. Alfred Zimmermann great "surprise" that the world should make such a sensation about the murder of one woman. Trajan once said that the possession of absolute power had a tendency to transform even the most humane man into a wild beast. Judge Black in his great argument in the case of *ex parte* Milligan recalled the fact that Robespierre in his early life resigned his commission as Judge rather than pronounce the sentence of death, and that Caligula passed as a very amiable young man before he assumed the imperial purple. The story is as old as humanity that the appetite for blood or at least the habit of murder "grows by what it feeds upon."

The murder of Miss Cavell was one of exceptional brutality and stupidity. It never occurred to her judges that her murder would add an army corps to the forces of the Allies and that every

PROCLAMATION

du Commandant militaire Allemand DE LILLE

L'attitude de l'Angleterre rend de plus en plus difficile le ravitaillement de la population.

Pour atténuer la misère, l'autorité allemande a demandé récemment des volontaires pour aller travailler à la campagne. Cette offre n'a pas eu le succès attendu.

En conséquence, les habitants seront évacués par ordre et transportés à la campagne. Les évacués seront envoyés à l'intérieur du territoire occupé de la France, loin derrière le front, où ils seront occupés dans l'agriculture et nullement à des travaux militaires.

Par cette mesure, l'occasion leur sera donnée de mieux pourvoir à leur subsistance.

En cas de nécessité, le ravitaillement pourra se faire par les dépôts allemands.

Chaque évacué pourra emporter avec lui 30 kilogrammes de bagages (ustensiles de ménage, vêtements, etc...) qu'on fera bien de préparer dès maintenant.

J'ordonne donc : Personne ne pourra, jusqu'à nouvel ordre, changer de domicile. Personne non plus s'absenter de son domicile légal déclaré, de 9 heures du soir à 6 heures du matin (heure allemande) pour tant qu'il ne soit pas en possession d'un permis en règle.

Comme il s'agit d'une mesure irrévocable, il est de l'intérêt de la population même de rester calme et obéissante.

Lille, avril 1916.

LE COMMANDANT.

English soldier would fight more bravely because of her shining example. So little was this appreciated either in Brussels or Berlin that the German Foreign Office, in its official apology for the crime, issued over the signature of Doctor Alfred Zimmermann, Under Secretary of Foreign Affairs, expresses its surprise

> *that the shooting of an Englishwoman and the condemnation of several women in Brussels for treason have caused a sensation.*[1]

What extraordinary moral naïveté! How could they appreciate that after the firing squad had done its work and the body of the woman had been given hasty burial the victim's virtues would

> plead like angels, trumpet-tongued, against
> The deep damnation of [her] taking off;
> And pity, like a naked new-born babe,
> Striding the blast, or Heaven's cherubim, horsed
> Upon the sightless couriers of the air,
> Shall blow the horrid deed in every eye,
> That tears shall drown the wind.

This happened with incredible rapidity, and the Kaiser made haste to commute the sentences of the eight other intended victims—two of them

[1] Dr. Zimmermann's defence of the Cavell execution is printed in full as an appendix to this article on p. 331 *et seq.*

being also women—and the Berlin Foreign Office also issued to the world its defence of its action.

It began with an expression of "pity that Miss Cavell had to be executed," but the sincerity of this pity can be measured by the fact that concurrently with Dr. Zimmermann's official apology there came from Berlin an "inspired" supplemental explanation, which sought to depreciate the character and services of the dead nurse, referred to by Dr. Zimmermann as "the Cavell woman," by stating "that she earned a living by nursing, *charging fees within the means of the wealthy only.*"

The world has an abundant refutation of this cruel and cowardly slur upon the memory of a dead woman, for one who first hazarded her life and then gave it freely to save the lives of others —for such was the charge for which she died— is not a woman to restrict her gracious ministrations of mercy for mercenary motives.

The Kaiser was swift to see the deadly injury to his cause of this latest evidence of military tyranny. Not only did he commute the sentences of Miss Cavell's alleged accomplices—as if to say with Macbeth, "Thou canst not say I did it"—but he summoned von Bissing to explain their actions in the matter, but as the Kaiser

is responsible for the invasion of Belgium and has hitherto condoned its attendant horrors, he can no more absolve himself from some share of responsibility than could Macbeth disavow his responsibility for the deeds of his two hirelings.

The literary analogy is justified. When the author witnessed, in the summer of 1916, the battlefield of the Somme and saw the prodigious British artillery largely concealed by trees and bushes, he thought that Macbeth's miracle had indeed come to pass, for "Birnam wood had come to Dunsinane."

The stain of this murder rests upon Prussian militarism and not upon the German people, for it should not be forgotten that possibly the most chivalrous act, which has happened since the beginning of the war, was the erection by a German community, where a detention camp was maintained, of a statue to the French and English soldiers who had died in captivity, with the beautiful inscription:

> To our Comrades, who here died for their dear Fatherland.

What could be more chivalrous or present a greater contrast to the assassination of Miss Cavell?

We are advised by Dr. Zimmermann that Miss Cavell was given a fair trial and was justly convicted, but as the proceedings of the trial were not public and as Miss Cavell was denied knowledge in advance of the trial of the nature of the charges against her, *and as we know little of the circumstances of her alleged offence except the reports of her judges and executioners*, the world will be somewhat incredulous as to whether the trial was as just to the accused as Dr. Zimmermann would have us believe.

The difficulty with this assurance is that the German conception of what is a fair trial differs from that which prevails in Anglo-Saxon countries, just as the German word "Gerechtigkeit" does not convey the same mental or moral conception as the English word "justice," or "Freiheit" the same meaning as "liberty." "Gerechtigkeit" means little more than the exercise of the power of the State, and in its sanction finds its moral authority. In England, France, and the United States the idea of justice is that an individual has certain fundamental and inalienable rights, which even the State cannot override, and none of these fundamental rights has been more highly valued in the evolution of English liberty than the rights of a defend-

ant charged with crime. Whether guilty or not guilty, he cannot be arrested without a judicial warrant on proof of probable cause; he may not be compelled to testify against himself; he is entitled to a speedy trial and shall be informed in advance thereof of the exact nature of the accusation; his trial shall be public and open, and he shall be confronted with the witnesses against him and have compulsory process for his own defence; in advance of trial he shall have permission to select his own counsel, and shall have the opportunity to confer freely with him.

Most of these fundamental rights were denied to Miss Cavell.

It is difficult to understand why, in view of the policy of terrorism, which has prevailed in Belgium from the time that the invader first crossed its frontier, the justice of the execution should require any discussion in Herr Zimmermann's defence. In the official textbook of the General Staff of the German Army the definite policy of terrorizing a conquered country is proclaimed as a military theory. Its leading axiom is there stated by boldly claiming that

> a war conducted with energy cannot be directed merely against the combatants of the enemy State and the positions they occupy, *but it will and must in*

> *like manner seek to destroy the total intellectual and material resources of the latter.* Humanitarian claims, such as the protection of men and their goods, can only be taken into consideration in so far as the nature and object of the war permit. Consequently the argument of war permits every belligerent State *to have recourse to all means which enable it to obtain the object of the war.*

Miss Cavell's fate only differs from that of hundreds of Belgian women and children in that she had the pretence of a trial and presumably had trespassed against military law, while other victims of the rape of Belgium were ruthlessly killed in order to effect a speedy subjugation of the territory. The question of the guilt or innocence of each individual was a matter of no importance. Hostages were taken and ruthlessly shot for the alleged wrongs of others.

Did not General von Bülow on August 22d announce to the inhabitants of Liége that

> *it is with my consent that the General in command has burned down the place* [*Ardenne*] *and shot about one hundred inhabitants.*

It was this distinguished General who posted a proclamation at Namur on August 25th as follows:

> Before 4 o'clock all Belgian and French prisoners are to be delivered up as prisoners of war. Citizens who do not obey this will be condemned to hard labour for life in Germany. At 4 o'clock a rigorous inspection of all houses will be made. *Every soldier found will be shot. . . . The streets will be held by German guards, who will hold ten hostages for each street. These hostages will be shot if there is any trouble in that street. . . .* A crime against the German Army will compromise the existence of the whole town of Namur *and every one in it.*

Did not Field Marshal von der Goltz issue a proclamation in Brussels, on October 5th, stating that if any individual disturbed the telegraphic or railway communications, *all the inhabitants would be "punished without pity, the innocent suffering with the guilty"*?

Individual guilt being thus a matter of minor importance, Dr. Zimmermann had no occasion on the accepted theory of Prussian militarism to justify the secret trial and midnight execution of Edith Cavell.

Indeed, he freely intimates that his Government will not spare women, no matter how high and noble the motive may have been which inspires any infraction of military law, and to this sweeping statement he makes but one exception, namely, that women "in a delicate condition may not be executed." But why the

exception? If it be permitted to destroy one life for the welfare of the military administration of Belgium, why stop at two? If the innocent living are to be sacrificed, why spare the unborn? The exception itself shows that the rigour of military law must have some limitation, and that its rigid demands must be softened by a discretion dictated by such considerations of chivalry and magnanimity as have hitherto been observed by all civilized nations.

If the victim of yesterday had been an "expectant mother," Dr. Zimmermann suggests that her judges and executioners would have spared her, but no such exception can be found in the Prussian military code. "It is not so nominated in the bond," and the Under Secretary's recognition of one exception, based upon considerations of humanity and not the letter of the military code, destroys the whole fabric of his case, *for it clearly shows that there was a power of discretion which could have been exercised, if they had so elected.*

That her case had its claims not only to magnanimity, but even to military justice, is shown by the haste with which, in the teeth of every protest, the unfortunate woman was hurried to her end. Sentenced at 5 o'clock in the afternoon. she was executed nine hours later.

Of what were her judges and executioners afraid? She was in their custody. Her power to help her country—save by dying—was forever at an end. The hot haste of her execution and the duplicity and secrecy which attended it betray an unmistakable fear that if her life had been spared until the world could have known of her death sentence, public opinion would have prevented this cruel and cowardly deed. The laboured apology of Dr. Zimmermann and the swift action of the Kaiser in remitting the death sentence to those who were condemned with Miss Cavell, indicate that the Prussian officials have heard the beating of the wings of those avenging angels of history who, like the Eumenides of classic mythology, are the avengers of the innocent and the oppressed.

> *Greatness* [wrote Æschylus], *is no defence from utter destruction when a man insolently spurns the mighty altar of justice.*

This is as true today as when it was written more than two thousand years ago. It is but a classic echo of the old Hebraic moral axiom that "the Lord God of recompenses shall surely requite."

The most powerful and self-willed ruler of modern times learned this lesson to his cost. Pro-

bably no two instances contributed so powerfully to the ultimate downfall of Napoleon as his ruthless assassination under the forms of military law of the Duke d'Enghien and the equally brutal murder of the German bookseller, Palm. The one aroused the undying enmity of Russia, and the blood that was shed in the moat of Vincennes was washed out in the icy waters of the Beresina. The fate of the poor German bookseller, whom Napoleon caused to be shot because his writing menaced the security of French occupation, developed as no other event the dormant spirit of German nationality, and the Nuremberg bookseller, shot precisely as was Miss Cavell, was finally avenged when Blücher gave Napoleon the *coup de grâce* at Waterloo. No one more clearly felt the invisible presence of his Nemesis than did Napoleon. All his life, and even in his confinement at St. Helena, he was ceaselessly attempting to justify to the moral conscience of the world his ruthless assassination of the last Prince of the House of Conde.

The terrible judgment of history was never better expressed than by Lamartine in the following language:

> A cold curiosity carries the visitor to the battlefields of Marengo, Austerlitz, Wagram, Leipsic,

Waterloo; he wanders over them with dry eyes, but one is shown at a corner of the wall near the foundations of Vincennes, at the bottom of a ditch, a spot covered with nettles and weeds. He says, "There it is!" He utters a cry and carries away with him undying pity for the victim and an implacable resentment against the assassin. This resentment is vengeance for the past and a lesson for the future. *Let the ambitious, whether soldiers, tribunes, or kings, remember that if they have hirelings to do their will, and flatterers to excuse them while they reign, there yet comes afterward a human conscience to judge them and pity to hate them. The murderer has but one hour; the victim has eternity.*

At the outbreak of the war, Miss Cavell was living with her aged mother in England. Constrained by a noble and imperious sense of duty, she exchanged the security of her native country for her post of danger in Brussels. "My duty is there," she said simply.

She reached Brussels in August, 1914, and at once commenced her humanitarian work. When the German Army entered the gates of Brussels, she called upon Governor von Luttwitz and placed her staff of nurses at the services of the wounded under whatever flag they had fought. The services which she and her staff of nurses rendered many a wounded and dying German should have earned for her the generous consideration of the invader.

But early in these ministrations of mercy she was obliged by the noblest of humanitarian motives to antagonize the German invaders. Governor von Luttwitz demanded of her that all nurses should give formal undertakings, when treating wounded French or Belgian soldiers, to act as gaolers to their patients, but Miss Cavell answered this unreasonable demand by simply saying: "We are prepared to do all that we can to help wounded soldiers to recover, but to be their gaolers—never."

On another occasion when appealing to a German brigadier-general on behalf of some homeless women and children, the Prussian martinet—half pedant and half poltroon—answered her with a quotation from Nietzsche to the effect that "Pity is a waste of feeling—a moral parasite injurious to the health."

She early felt the cruel and iron will of the conqueror, but, nothing daunted, she proceeded in her arduous work, supervised the work of three hospitals, gave six lectures on nursing a week, and responded to many urgent appeals of individuals who were in need of immediate relief.

When one of her associates, Miss Mary Boyle O'Reilly, who has recently contributed a moving

account of Miss Cavell's work, was expelled from Belgium, she begged Miss Cavell to take the opportunity, while it presented itself, to leave that land of horror, and Miss Cavell, with characteristic bravery, replied: "Impossible, my friend, my duty is here."

It was probably in connection with this humanitarian work that she violated the German military law by giving refuge to fugitive French and Belgian soldiers until such time as they could escape across the frontier to Holland. For this she suffered the penalty of death, and the validity of this sentence, even under Prussian military law, I will discuss later. It is enough to say that no instinct is so natural in every man and woman, and especially in woman with the maternal instinct characteristic of the sex, than to give a harbour of refuge to the helpless. All nations have respected this instinctive feeling as one of the redeeming traits of human nature, and the history of war, at least in modern times, can be searched in vain for any instance in which any one, especially a woman, has been condemned to death for yielding to the humanitarian impulse of giving temporary refuge to a fugitive soldier. Such an act is neither espionage nor treason, as those terms have been ordinarily understood in civilized countries.

It is true, as suggested by a few in America who sought to excuse the Cavell crime, that Mrs. Surratt was tried, condemned, and executed because she had permitted the band of assassins, whose conspiracy resulted in the assassination of Lincoln and the attempted murder of Secretary Seward, to hold their meetings in her house; but the difference between this alleged conscious participation in the assassination of the head of the State in a period of civil war, and the humanitarian aid which Miss Cavell gave to fugitive soldiers to save them from capture or possibly to effect their escape, is manifest. I am assuming that Miss Cavell did give such protection to her compatriots, for all accessible information supports this view, and if so, however commendable her motive and heroic her conduct, she was guilty of an infraction of military law, which justified some punishment and possibly her forcible detention during the period of the war.

To regard her execution for this offence as an ordinary incident of war is an affront to civilization, and as it is symptomatic of the Prussian occupation of Belgium and not a sporadic incident, it acquires a significance which justifies a full recital of this black chapter of Prussianism. It illustrates

the reign of terror which has existed in Belgium since the German occupation.

When the German Chancellor made his famous speech in the Reichstag on August 4, 1914, and admitted at the bar of the world the crime which was then being initiated, he said:

> The wrong—I speak openly—that we are committing we will endeavour to make good as soon as our military goal has been reached.

Within a few weeks the military goal was reached by the seizure of practically all of Belgium and by the voluntary surrender of Brussels to the invader, and since then, for a period of over two years, the Belgian people have been subjected to a state of tyranny for which we must turn to find a parallel to the history of the Netherlands in the sixteenth century and recall its occupation by the Duke of Alva. It must be said in candour that the Prussian occupation of Belgium has not yet caused as many victims as the "Bloody Council" of the Duke of Alva, for the estimated number of non-combatants, who have been shot in Belgium during the last two dreadful years, is only 6000 as against the 18,000 whom it is estimated the Spanish General put to death.

It may also be the fact that the present oppres-

sion of Belgium is marked by some approach to the forms of law; but it may be doubted whether the difference is not more in appearance than in reality, for the administration of law in Belgium has been a mockery. Of this there can be no more striking or detailed proof than the protest which was presented to the German authorities on February 17, 1915, by M. Léon Théodor, the head of the Brussels bar. The truth of this formal accusation may be fairly measured by the strong probability that the brave leader of the Brussels bar would never have ventured to have made the statements hereinafter referred to to the German Military Governor unless he was reasonably sure of his facts. What he said on behalf of the bar of Brussels was said in the shadow of possible death, and if he had consciously or deliberately maligned the Prussian administration of justice in this open and specific manner, he assuredly took his life into his hands. This brave and noble document will forever remain one of the gravest indictments of Prussian misrule and as it states, on the authority of one who was in a position to know, the details of the savage tyranny which masqueraded under the forms of law, a part of it may be profitably quoted.

After stating the fact "that everything about

the German judicial organization in Belgium is contrary to the principles of law," and after showing that Belgian civilians were punished for violations of law, which had never been proclaimed and of which, therefore, the condemned knew nothing, the distinguished President of the Order of Advocates says:

> *This absence of certainty is not only the negation of all the principles of law; it weighs on the mind and on the conscience; it bewilders one, it seems to be a permanent menace for all, and the danger is all the more real, because these courts permit neither public nor defensive procedure, nor do they permit the accused to receive any communication regarding his case, nor is any right of defence assured him.*
>
> This is arbitrary injustice; the Judge left to himself, that is, to his impressions, his prejudices, and his surroundings. This is abandoning the accused in his distress, to grapple alone with his all-powerful adversary.
>
> This justice, uncontrolled, and consequently without guarantee, constitutes for us the most dangerous and oppressive of illegalities. *We cannot conceive justice as a judicial or moral possibility without free defence.*
>
> Free defence, that is, light thrown on all the elements of the suit; public sentiment being heard in the bosom of the judgment hall, the right to say everything in the most respectful manner, and also the courage to dare everything, these must be put at the service of the unfortunate one, of justice and

law. It is one of the greatest conquests of our history. It is the keystone of our individual liberty.

What are your sources of information?

Besides the judges, the men of the Secret Service and the denouncers (in French: *délateurs*).

The Secret Service men in civilian clothes, not bearing any insignia, mixing with the crowds in the street, in the cafés, on the platforms of street cars, listen to the conversations carried on around them, ready to grasp any secret, on the watch not only for acts but for intentions.

These denouncers of our nation are ever multiplying. *What confidence can be placed in their declarations, inspired by hate, spite, or low cupidity?* Such assistants can bring to the cause of justice no useful collaboration.

If we add to this total absence of control and of defence, these preventive arrests, the long detentions, the searches in the private domiciles, *we will have an almost complete idea of the moral tortures to which our aspirations, our convictions, and our liberties are subjected at the present time. . . .*

Will it be said that we are living under martial law; that we are submitting to the hard necessities of war; that all should give way before the superior interests of your armies?

I can understand martial law for armies in the field. It is the immediate reply to an aggression against the troops, repression without words, the summary justice of the commander of the army responsible for his soldiers. But our armies are far away; we are no longer in the zone of military operations. Nothing here menaces your troops, the inhabitants are calm.

> The people have taken up work again. You have bidden them do it. Each one devotes himself, magistrates, judges, officials of the provinces and cities, the clergy, all are at their post, united in one outburst of national interest and brotherhood.
>
> However, this does not mean that they have forgotten. The Belgian people lived happily in their corner of the earth, confident in their dream of independence. They saw this dream dispelled, they saw their country ruined and devastated, its ancient hospitable soil has been sown with thousands of tombs where our own sleep; the war has made tears flow which no hand can dry. *No, the murdered soul of Belgium will never forget.*

As this dignified and noble protest did not lead to any amelioration of the harsh conditions, a month later the same brave jurist, M. Léon Théodor, appeared in Brussels before the so-called "German Court of Justice" and, in behalf of the entire Magistracy of Belgium, addressed to the Prussian Military Judges the following poignantly pathetic and nobly dignified address, which met with a like reception as the preceding communication.

> I present myself at the Bar, escorted by the Counsel of the Order, surrounded by the sympathy and the confidence of all my colleagues of Brussels, and I might add of all the Bars of the country. The Bars of Liége, Ghent, Charleroi, Mons, Louvain,

Antwerp have sent to that of Brussels the expression of their professional solidarity and have declared that they adhere to the resolutions taken by the Counsel of the Order of Brussels. . . .

We are not annexed. We are not conquered. We are not even vanquished. Our army is fighting. Our colours float alongside those of France, England, and Russia. The country subsists. She is simply unfortunate. More than ever, then, we now owe ourselves to her body and soul. To defend her rights is also to fight for her.

We are living hours now as tragic as any country has ever known. All is destruction and ruin around us. Everywhere we see mourning. Our army has lost half of its effective force. Its percentage in dead and wounded will never be obtained by any of the belligerents. There remains to us only a corner of ground over there by the sea. The waters of the Yser flow through an immense plain peopled by the dead. It is called the Belgian Cemetery. There sleep our children by the thousands. There they are sleeping their last sleep. The struggle goes on bitterly and without mercy.

Your sons, Mr. President, are at the front; mine as well. For months we have been living in anxiety regarding the morrow.

Why these sacrifices, why this sorrow? *Belgium could have avoided these disasters, saved her existence, her treasures, and the lives of her children, but she preferred her honour.*

Not long after this second protest, M. Léon

Théodor was arrested and deported to Germany, for the offence of defending the oppressed civilian population from a system of espionage, drumhead courts-martial, and secret executions.

It is said that he has since been released through the intercession of the King of Spain.

It was in this manner that the solemn promise of the German Chancellor that his country would make good the wrong done to Belgium has been kept.

Such was the condition of affairs in Belgium when Edith Cavell was arrested on August 5, 1915.

About the same time some thirty-five other prisoners were similarly arrested by the military authorities, *two-thirds of whom were women.*

The arrest was evidently a secret one, for it is obvious that for a time Miss Cavell's friends knew nothing of her whereabouts. Even the American Legation, which had assumed the care of British citizens in Belgium, apparently knew nothing of Miss Cavell's arrest until it learned after a second inquiry the fact and the place of her imprisonment from the German Civil Governor of Belgium on September 12, 1915.

As Miss Cavell was a well-known personage in Brussels, it is improbable that these facts would

have been unknown to the American Legation in Brussels if they had been a matter of public information on August the 5th or shortly thereafter?

Evidently some information had reached the British Foreign Office as to Miss Cavell's disappearance, for on August the 26th Sir Edward Grey requested the American Ambassador in London to ascertain through the American Legation in Brussels whether it was true that Miss Cavell had been arrested, and it seems clear from the diplomatic correspondence that the American Legation at Brussels knew nothing of the matter until it received this inquiry from the American Ambassador in London. The fact of her arrest by the German military authorities may have been known, but the place of her imprisonment and the nature of the charges against her were apparently withheld.

This feature of the case and the manner in which Mr. Brand Whitlock, the American Minister, was prevented from rendering any effective aid to Miss Cavell presents one aspect of the tragedy which especially concerns the honour and dignity of the United States.

Her secret trial and hurried execution was a clear affront to the American Minister at

Brussels, and therefore to the American nation. It is true that in all he did to save her life he was acting in behalf of and for the benefit of Great Britain, whose interests the United States Government has taken over in Belgium; but this cannot affect the fact that when Mr. Whitlock intervened in behalf of the prisoner, sought to secure her a fair trial, and especially when he asked her life as a reciprocal favour for the services his nation had rendered Germany and German subjects in the earlier days of the war, *he spoke in fact, if not in theory, as an American and as the diplomatic representative of the United States.*

So secret was Miss Cavell's arrest and so sinister the methods whereby her end was compassed that the American Minister in Belgium was obliged to write on August 31st to Baron von der Lancken, as the representative in diplomatic matters of von Bissing, the German Civil Governor of Belgium, and ask whether it was true that she was under arrest. *To this no reply was promptly vouchsafed, although it was clearly a matter of life and death.*

The discourtesy of such silence to a great and friendly nation needs no comment.

Not hearing from Baron von der Lancken, our

Minister on September 10th, again wrote to him and again asked for a reply. Mr. Whitlock asked for the opportunity "*to take up the defence of Miss Cavell with the least possible delay.*" To this, Baron von der Lancken replied by an *ex parte* statement that Miss Cavell had admitted

> having concealed in her house various English and French soldiers, as well as Belgians of military age, all anxious to proceed to the front. She also acknowledged having supplied these soldiers with the funds necessary to proceed to the front and having facilitated their departure from Belgium by finding guides to assist them in clandestinely crossing the frontier.

The Baron further answered that her defence had been intrusted to an advocate by the name of Braun, "*who is already in touch with the proper German authorities,*" and added:

> In view of the fact that the Department of the Governor General *as a matter of principle* does not allow accused persons to have any interviews whatever, I must regret my inability to procure for M. de Leval permission to visit Miss Cavell, as long as she is in solitary confinement.

M. de Leval was a Belgian lawyer and the official legal adviser of the American Legation. His attempt to save Miss Cavell, as will hereafter appear, was worthy of all praise.

It will thus be seen and will hereafter appear more fully that in advance of her trial Miss Cavell was kept in solitary confinement and was denied any opportunity to confer with counsel in order to prepare her defence. Her communication with the outside world was wholly cut off, with the exception of a few letters, which she was permitted to write under censorship to her assistants in the school for nurses, and it is probable that in this way the fact of her imprisonment first became known to her friends.

The fact remains that the desire of the American Minister to have its counsel see her with a view to the selection of such counsel as Miss Cavell might desire, was refused and even the counsel, whom the German Military Government permitted to act, was denied any opportunity to see his client until the trial.

The counsel in question was a M. Braun, a Belgian advocate of recognized standing, but for some reason, which does not appear, he was unable or declined to act for Miss Cavell and he secured for her defence another Belgian lawyer, whose name was Kirschen. According to credible information, Kirschen was a Roumanian by birth, although a naturalized Belgian subject and a member of the Brussels bar, but it will hereafter

appear that the steps which he took to keep the American Legation—the one possible salvation for Miss Cavell—advised as to the progress of events, were to say the least peculiar. It is said that he had been a legal adviser of the German Legation in Brussels before the war.

Except the explanations made by the German Civil Government, we know very little as to what defence, if any, Miss Cavell made. From one of the inspired sources comes the statement that she freely admitted her guilt, and from her last interview with the English clergyman it would appear that she probably did admit some infraction of military law. But from another German source we learn the following:

> During the trial in the Senate Chamber the accused, almost without exception, gave the impression of persons *cleverly simulating naïve innocence.* It was not a mere coincidence that two thirds of the accused were women. The Englishwoman, Edith Cavell, who has already been executed, declared that she had believed as an Englishwoman that she ought to do her country service *by giving lodgings in her house to soldiers and recruits who were in peril.* She naturally denied that she had drawn other people into destruction by inducing them to harbour refugees when her own institute was overtaxed.

From this meagre information we can only infer

that Miss Cavell did admit that she had sheltered some soldiers and recruits who were in peril, and while this undoubtedly constituted a grave infraction of military law, yet it does not present *in a locality far removed from the actual war zone* a case either of espionage or high treason, and is of that class of offences which have always been punished on the highest considerations of humanity and chivalry with great moderation.

The difficulty is that the world is not yet fully informed what defence, if any, Miss Cavell made, or whether an adequate opportunity was given her to make any. The whole proceeding savours of the darkness of the mediæval Inquisition.

We have already seen that even if Miss Cavell's counsel, M. Kirschen, endeavoured in good faith to make an adequate defence in her behalf, it was impossible for him to see her in advance of the trial, and M. Kirschen admitted this when he explained to the legal counsel of the American Embassy that

> lawyers defending prisoners before a German Military Court were not allowed to see their clients before trial and were not permitted to see any document of the prosecution.

It is true that M. Kirschen so far defends the trial accorded to Miss Cavell as to say

> that the hearing of the trial of such cases is carried out very carefully and that in his opinion, although it was not possible to see the client before the trial, in fact the trial itself developed itself so carefully and so slowly that it was generally possible to have a fair knowledge of all the facts and to present a good defence for the prisoner. This would especially be the case of Miss Cavell, because the trial would be rather long, *as she was prosecuted with* 34 *other prisoners.*

This explanation of M. Kirschen is amazing to any lawyer who is familiar with the defence of men who are charged with a crime. Here was a case of life and death and the counsel for the defence intimates that he can adequately defend the prisoner at the bar without being previously advised as to the nature of the charges or an opportunity to confer with his client before the testimony begins.

Still more remarkable is his explanation that as his client was to be tried with thirty-four others, the opportunity for a defence would be especially ample. As the author had the honour for some years to be a prosecuting attorney for the United States Government and therefore has some familiarity with the trial of criminal cases, his opinion may possibly have some value in suggesting that the complexity of different issues when tried

together and the difficulty of distinguishing between various testimony naturally increases with the simultaneous trial of a large number of defendants. Where each defendant is tried separately, the full force of the testimony for or against him can be weighed to some advantage, but where such evidence is intermingled and confused by the simultaneous trial of thirty-four separate issues, it is obvious, with the fallibility of human memory, that the separate testimony against each particular defendant cannot be fully weighed.

The trial was apparently a secret one in the sense that it was a closed and not an open court. Otherwise how can we account for the poverty of information as to what actually took place on the trial?

The court sat for two days in the trial of the thirty-five cases in question and the American Legation had been most anxious, in view of the nature of the case and the urgency of the inquiries, to ascertain something about the trial. The outside world apparently knew little or nothing of this wholesale trial of non-combatants, most of them being women, until some days thereafter, and the only intimation that the American Legation previously had was a letter of "a few lines" from M. Kirschen, stating that the trial would take place on October the 7th.

Notwithstanding the assurance of M. Kirschen that he would keep the American Legation fully advised and would even disclose to it in advance of the trial "the exact charges that were brought against Miss Cavell and the facts concerning her that would be disclosed at the trial," yet no further information reached the American Legation from Miss Cavell's counsel, who for some reason did not advise the American Legation that the trial had commenced on the 7th and had been concluded on the 8th. The American Legation only learned the fact of the trial from "an outsider" and it at once proceeded to look for M. Kirschen. Unfortunately he could not be located and thereupon the counsel for the American Legation wrote him on Sunday, October the 10th, and asked him to send his report to the Legation or to call on the following day.

Having no word from M. Kirschen as late as October the 11th (his last communication with the American Legation being on October 3d), the counsel for the Legation twice called at his house and again failed to find him in or to receive any message from him.

It is clear that if M. Kirschen had advised the American Legation as to the developments of the trial on October 7th and 8th and had further advised the Legation promptly as to the conclu-

sion of the trial and its probable outcome, there is a reasonable possibility that Miss Cavell's life might have been saved, but for some reason, as to which M. Kirschen certainly owes an explanation to the civilized world, he failed to keep his positive promise to keep the American Legation fully advised, and in view of this fact his assurance to the American Legation "that the Military Court of Brussels was always perfectly fair, and that there was not the slightest danger of any miscarriage of justice," must be taken with a very large "grain of salt." The fact is that M. Kirschen was retained and paid by our Legation to keep it informed. Apparently he feared to disclose all his knowledge of the developments for fear that the German Military Court would resent any disclosure of its Star Chamber methods. It is undeniable that nearly all who attended the trial feared to speak of its details.

The significant fact remains that the American Legation never heard that the trial had taken place until the day after, and then only learned it from "an outsider" whose very name it prudently refused to disclose. To call this an open or public trial is an absurdity. Had the American Legation sent a representative to the trial, the world would then have had a much clearer knowledge,

upon which to base its judgment, but when M. De Leval suggested his intention to attend the trial, as a representative of the Legation, he was advised by M. Kirschen that such an act "would cause great prejudice to the prisoner because the German judges would resent it."

What an indictment of the court! Even to see a representative of the American Government at the trial in the interests of fair play, would prejudice the minds of the judges against the unfortunate woman, who was being tried for a capital offence without any previous opportunity to confer with counsel. There may be a satisfactory explanation for M. Kirschen's conduct in the matter, but it has not yet appeared. It should, however, be added in fairness to him that the anonymous "outsider," from whom the American Legation got its only information as to the developments of the trial, stated that Kirschen "made a very good plea for Miss Cavell, using all arguments that could be brought in her favour before the court."

This does not give the lover of fair play a great deal of comfort, for if the anonymous informant was not a lawyer, the value to be attached to his or her estimate of Kirschen's plea must be regarded as doubtful.

The same unknown informant told the American Legation that Miss Cavell was prosecuted "for having helped English and French soldiers as well as Belgian young men to cross the frontier and to go over to England." It is stated on the same authority that Miss Cavell acknowledged the assistance thus given and admitted that some of them had "thanked her in writing when arriving in England."

From the same source the world gets its only information as to the exact law which Miss Cavell was accused of violating. Paragraph 58 of the German Military Code inflicts a sentence of death upon

> any person who, with the intention of helping the hostile power, or of causing harm to the German or allied troops, is guilty of one of the crimes of paragraph 90 of the German Penal Code,

and the only pertinent section of paragraph 90, according to the same informant, is the specific offence of

> guiding soldiers to the enemy (in German—"Dem Feinde Mannschaften zuführt").

I affirm with confidence that under this law, Miss Cavell was innocent and that the true

meaning of the law was perverted in order to inflict the death sentence upon her.

I admit that a strained construction of the language above quoted might be applicable to a defendant who gave refuge to hostile soldiers in Brussels and thus enabled them to escape across the frontier into Holland and thence into a belligerent country, but every penal law must receive a construction that is favourable to the defendant and agreeable to the dictates of humanity. Every civilized country construes its penal laws in favour of the liberty of the subject and no punishment, especially one of death, is ever imposed unless the offence charged comes indubitably within a rigid construction of the law.

Keeping in mind this elementary principle, it is obvious that the offence of guiding soldiers to the enemy refers to the physical act of guiding a fugitive soldier back into his lines. A soldier becomes detached from his lines. He finds shelter in a farmhouse. The farmer, knowing the roads, secretly guides him back into his lines, and this obviously is the offence which paragraph 90 had in mind, for the German word *zuführt* refers to a personal guidance.

Miss Cavell simply gave shelter to soldiers and in some way facilitated their escape to Holland.

Holland is a neutral country and it was its duty to intern any fugitive soldiers who might escape from any one of the belligerent countries. The fact that these soldiers subsequently reached England is a matter that could not increase or diminish the essential nature of Miss Cavell's case. She enabled them to get to a neutral country, and this was not a case of "guiding soldiers to the enemy," for Holland was not an enemy of Germany.

This fact must have impressed the Military Court, for according to the same informant it did not at once agree upon either the verdict of "Guilty" or the judgment of death, and it is stated that the judges would not have sentenced her to death if the fugitive soldiers, who had crossed into Holland, had not subsequently arrived in England, but it will astound any lawyer to learn that the subsequent escape of these same prisoners from Holland to England could be reasonably regarded as a guidance by Miss Cavell of these soldiers *to England.* In all probability Miss Cavell had little or nothing to do with these soldiers after they left Brussels, but even assuming that she provided the means and gave the directions for their escape across the frontier between Belgium and Holland, that was "the head and front of her offending," and it does not come within the law under which

she was sentenced to death. All doubt is set at rest as to this question of construction, for immediately after the Cavell execution, the German Military Government of Belgium broadened the law to include the offence of any "harbouring of enemies." The amendment clearly indicates its doubt as to the application of the former law to Miss Cavell's act.

When she was asked by her judges as to her reasons for sheltering these fugitives, she replied that she "thought that if she had not done so they would have been shot by the Germans and that therefore she thought she only did her duty to her country in saving their lives."

This fairly states what she did, and this brave and frank reply probably caused her death. She gave a temporary shelter to men who were in danger of death, and, as previously stated, thus yielded to a humanitarian impulse which all civilized nations have recognized as worthy of the most lenient treatment.

When, therefore, Dr. Alfred Zimmermann, speaking for the German Foreign Office, expressed its "surprise" that Miss Cavell's execution should "have caused a sensation," it is well to remind the official apologist for Prussia that to offer a refuge to the fugitive is an impulse of humanity.

It is likely that these soldiers were her wounded patients; at all events they had found a refuge in her hospital. They claimed the protection of her roof and she gave it to them.

In the first act of *Walkuere*—which is not overburdened with the atmosphere of morality—even the black-hearted Hunding says to his blood-enemy:

> "Heilig ist mein herd;
> Heilig sei dir mein haus."

("Holy is my hearth! Holy will be to thee my house!")

It must be remembered that all this did not take place in the zone of actual warfare. A spy caught in the lines of armies is summarily dealt with of necessity. But Brussels was miles away from the scene of actual hostilities. Its civil courts were open and a civil administration ruled its affairs of such reputed beneficence and efficiency as to evoke the ungrudging admiration of a distinguished college professor who bears the honoured name of George B. McClellan. There was therefore no possible excuse under international law for a court-martial, as this trial plainly was.

In the American civil war a military commission once sought to hold a similar trial in

Indianapolis over civilians accused of treason, but the United States Supreme Court, in the case of *ex parte* Milligan, sternly repudiated this form of military tyranny.

In that case the Supreme Court said:

> There are occasions when martial rule can be properly applied. If, in foreign invasion or civil war, *the courts are actually closed*, and it is impossible to administer criminal justice according to law, then, *on the theatre of active military operations, where war really prevails*, there is a necessity to furnish a substitute for the civil authority, thus overthrown, to preserve the safety of the army and society; . . . As necessity creates the rule, so it limits its duration; for, if this government is continued after the courts are reinstated, it is a gross usurpation of power. Martial rule can never exist where the courts are open, and in the proper and unobstructed exercise of their jurisdiction. *It is also confined to the locality of actual war.*

All civilized countries, including Germany, have always recognized a difference between high treason, punishable with death, and ordinary treason. The German *Strafgesetzbuch* thus distinguishes between high treason (*hochverrat*) and the lesser crime of *landesverrat*. High treason consists in murdering or attempting to murder a sovereign or prince of Germany or an attempt by violence to overthrow the Imperial Government or any State

thereof. This alone is punishable with death.

While this distinction of the German Civil Code may have no application when military law is being enforced, yet it illustrates a distinction, which all humane nations have recognized, between the treason which seeks to overthrow a State by rebellion and lesser offences against the authority of a State.

Assuming that Miss Cavell's offence could be regarded in any sense as treasonable, it certainly constituted the lesser offence under the distinction above quoted.

Is it not possible that Miss Cavell was tried, condemned, and executed for her sympathy with the cause of Belgium and her willingness to save her compatriots from suffering and death? May not military necessity—ever the tyrant's plea—have demanded a victim to terrorize further a subjugated people? They chose Miss Cavell.

Notwithstanding the request of the American Legation in its letter of October 5th that it be advised not only as to the charges, but also as to the sentence imposed upon Miss Cavell, and the express promise of Herr Kirschen to inform it of all developments, it was kept in ignorance of the fact that sentence of death had been passed upon her. Minister Whitlock only heard this on Oc-

tober 11th, and he at once addressed a letter to Baron von der Lancken in which, after stating this fact, he appealed "to the sentiment of generosity and humanity in the Governor General in favour of Miss Cavell," with a view to commutation of the death sentence, and at the same time addressed a similar letter to Baron von Bissing, the Civil Governor of Belgium, who failed to give to the American Government even the cold courtesy of a reply.

On the morning of October 11th our Minister heard—not from the German authorities, but from unofficial sources—that the trial had been completed on the preceding Saturday afternoon, and he at once communicated with the Political Department of the German Civil Government, and was expressly assured

> that no sentence had been pronounced and that there would probably be a delay of a day or two before a decision was reached.

The official in charge of the Political Department (Herr Conrad) gave a further

> *positive assurance that the* [*American*] *Legation would be fully informed as to the developments in the case.*

Notwithstanding this direct promise and further

"repeated inquiries in the course of the day," no further word reached the Legation, and at 6.20 P.M. it again inquired as to Miss Cavell's fate, and Herr Conrad again "*stated that sentence had not yet been pronounced.*"

To "make assurance doubly sure" three representatives of the American Legation separately inquired at different hours of the fateful day as to the developments in Miss Cavell's case and were assured that there had been none. To keep the matter more secret *the sentence of death, ordinarily pronounced in court, was read to the victim in the privacy of her prison cell.* Two hours after the last assurance, the American Legation heard *from unofficial sources*, that all that had been told it by the Political Department was untrue and that the sentence had been passed at 5 o'clock P.M., and before its last inquiry, and that the execution was to take place that night.

The Secretary of the American Legation, Hugh Gibson, who throughout this dark tragedy, approved himself a man and a worthy representative of his country, proceeded at once to Baron von der Lancken and again asked as a favour to this Government that clemency be extended. He brought with him a letter from the American Minister, which reads as follows:

My dear Baron:

I am too ill to put my request before you in person, but once more I appeal to the generosity of your heart. Stand by and save from death this unfortunate woman. Have pity on her. Your devoted friend,

Brand Whitlock.

Accompanying this purely personal note were two substantially similar communications, the one directed to Baron von Bissing and the other to Baron von der Lancken. These communications are as follows:

I have just heard that Miss Cavell, a British subject, and consequently under the protection of my Legation, was this morning condemned to death by court-martial.

If my information is correct, the sentence in the present case is more severe than all the others that have been passed in similar cases which have been tried by the same Court, and, without going into the reasons for such a drastic sentence, I feel that I have the right to appeal to your Excellency's feelings of humanity and generosity in Miss Cavell's favour, and to ask that the death penalty passed on Miss Cavell may be commuted and that this unfortunate woman shall not be executed.

Miss Cavell is the head of the Brussels Surgical Institute. She has spent her life in alleviating the sufferings of others, and her school has turned out many nurses who have watched at the bedside of the sick all the world over, in Germany as in

> Belgium. At the beginning of the war Miss Cavell bestowed her care as freely on the German soldiers as on others. Even in default of all other reasons, her career as a servant of humanity is such as to inspire the greatest sympathy and to call for pardon. If the information in my possession is correct, Miss Cavell, far from shielding herself, has, with commendable straightforwardness, admitted the truth of all the charges against her, and it is the very information which she herself has furnished, and which she alone was in a position to furnish, which has aggravated the severity of the sentence passed on her.
>
> It is then with confidence, and in the hope of its favourable reception, that I have the honour to present to your Excellency my request for pardon on Miss Cavell's behalf.

This note was read aloud to Baron von der Lancken, the very official who had refused to answer the first communication of the Legation with reference to the matter, and he

> expressed disbelief in the report that sentence had actually been passed and manifested some surprise that we should give credence to any report not emanating from official sources. He was quite insistent on knowing the exact source of our information, but this I [Gibson] did not feel at liberty to communicate to him.

Baron von der Lancken proceeded to express his belief "that it was quite improbable that sen-

tence had been pronounced," and that in any event no execution would follow. After some hesitation he telephoned to the presiding judge of the court-martial and then reported that the Legation's unofficial information was only too true.

His attention was further called to the express promise of the Director of the Political Department to inform the American Legation of the sentence, and he was asked to grant the American Government the courtesy of a "delay in carrying out the sentence."

To this appeal for mercy Baron von der Lancken replied that the Military Governor General, Sauberzweig, was the supreme authority and that he "had discretionary power to accept or to refuse acceptance of an appeal for clemency." He thereupon left the representative of the American Legation and apparently called upon Sauberzweig and after half an hour returned with the statement that not only would the Military Governor decline to revoke the sentence of death, but "that in view of the circumstances of this case, he must decline to accept your plea for clemency or any representation in regard to the matter."

Thereupon Baron von der Lancken insisted that Mr. Brand Whitlock's representative (Mr. Hugh Gibson, Secretary of the Legation) should

take back the formal appeal for clemency addressed both to him and to von Bissing, and as both German officials had been fully advised as to the nature of the plea, Mr. Gibson finally consented. Baron von der Lancken assured Mr. Gibson that under the circumstances "even the Kaiser himself could not intervene," a statement that was very quickly refuted when the Kaiser—aroused by the world-wide condemnation of Miss Cavell's execution—did commute the death sentences imposed upon the other persons who were condemned to death with Miss Cavell. One of these, a gently nurtured woman of noble birth, was given a sentence of ten years' hard labor and is now treated as a common felon.

During the earnest conversation which took place in this last attempt to save Miss Cavell's life, Mr. Gibson took occasion to remind Baron von der Lancken's official associates—although it should not have been necessary—as to the great services rendered by the United States, and especially by Mr. Brand Whitlock, in the earlier period of the German occupation, and this was urged as a reason why as a matter of courtesy to the United States Government some more courteous consideration should be accorded to its request.

At the outbreak of the war, thousands of German

residents of Belgium returned to their country in such haste that they left their families behind them. Mr. Whitlock gathered these women and children —numbering, it is said, over ten thousand—and provided them with the necessaries of life, and ultimately safe transportation into Germany, and having thus placed this inestimable service to thousands of German civilians in one scale, the American representative simply asked, as "the only request" made by the United States upon grounds of reciprocal generosity, that some clemency should be given to Miss Cavell. The refusal to give this clemency, or even to accept in a formal way the plea for clemency, is one of the blackest cases of ingratitude in the history of diplomacy.

On October 22d, there was issued from Brussels a "semi-official" but *anonymous* statement, charging that in the reports of the Secretary of the American Legation, from which the above quoted statements are mainly taken, "most of the important events are inaccurately reproduced."

No specification of any inaccuracy is however made, except the general denial "that the German authorities with empty promises put off the American Minister" and also the equally general statement that no promise was given to our Legation to advise it of developments in the case.

A vague, general, and *anonymous* denial, issued by men who seek to wash their hands of innocent blood, cannot avail against Mr. Gibson's clear, specific, and circumstantial statement. The Secretary of our Legation states that on October 11th he made "*repeated*" inquiries of Herr Conrad, the official in charge of the Political Department of the German Government in Belgium, *the last inquiry being at* 6.20 P. M. *by the clock* (an hour after the victim had been sentenced to death), and was on each occasion assured that "sentence had not been pronounced" and that "he (Conrad) would not fail to inform us as soon as there was any news."

Does Herr Conrad deny this?

The Brussels "semi-official" statement has the hardihood to state to the world that the American Minister (Brand Whitlock) had admitted that "no such promise or assurance was given," and it places the responsibility upon M. De Leval, the Belgian legal counsellor of the American Legation, but this impudent lie is speedily overthrown by the positive statement of our Minister to Belgium to our Ambassador in London as follows:

> From the date we first learned of Miss Cavell's imprisonment we made frequent inquiries of the German authorities and reminded them of their

> promise that we should be fully informed as to developments. They were under no misapprehension as to our interest in the matter.

Will the American people or the people of any nation hesitate to accept the clear, positive, and circumstantial statements of Minister Whitlock, Secretary Gibson, and Counsellor De Leval, at least two of whom are wholly disinterested in the matter, as against the self-exculpatory, general, and anonymous denials of a "semi-official" press bureau, especially when it is recalled that from the beginning of the great war, the German Foreign Office, with whom military honour is supposed to be almost a religion, has at times stooped to barefaced mendacity?

When the world recalls how Austria's Ambassadors in Paris, London, and Petrograd made the most emphatic statements that the forthcoming ultimatum to Serbia would be "pacific and conciliatory," and assured the Russian Ambassador that he could therefore safely leave Vienna, and also recalls how the German Ambassadors gave to England, France, and Russia the most solemn and unequivocal assurances that

> the German Government had no knowledge of the text of the Austrian note before it was handed in and had not exercised any influence on its contents,

and later admitted, when the lie had served its purpose, that it had been fully consulted by its ally before the ultimatum was prepared, it will give little attention to this attempt of a German press bureau to discredit the statements of the American Minister, given in name to Ambassador Page, in effect to the world.

With the exception of the submarine controversy, during which American citizens were killed on the high seas while the State Department was writing vain notes of protest on the subject, no chapter of its diplomatic history is more humiliating than the tolerance with which it accepted this deliberate affront to its Legation in Brussels in the case of Edith Cavell.

While Americans can take justifiable pride in the brave and courageous attempts of Mr. Hugh Gibson and M. de Leval to save Edith Cavell's life, yet they cannot find much cause for pride or satisfaction in the subsequent action of their State Department.

Mr. Brand Whitlock had in his communication to Ambassador Page stated the facts as herein recited and the German semi-official press bureau at Brussels thereupon issued a statement denying that any misleading assurances had been given the American Legation, or that any promises had been

broken or any discourtesy shown to the United States. This in effect gave the lie to Mr. Whitlock's deliberate statements to the contrary and the least that any patriotic American could expect of his State Department would be that it would support the statements of its Minister until convinced of their falsity.

The State Department, however, in turn gave to the American press an anonymous statement, intimating that that Department had received a long report from its Minister in Brussels, which acquitted "high German officials of bad faith in relation to her case."

The press bureau statement further states that Mr. Whitlock's report indicated that "the Legation officially received no pledge or promise that it would be kept informed of the disposition of the case." This contrasts very strangely with Mr. Brand Whitlock's official statement to the British Government in his report to Ambassador Page as follows:

> From the day we first learned of Miss Cavell's imprisonment, we made frequent inquiries of the German authorities and reminded them *of their promise that we should be fully informed as to developments*. They were under no misapprehension as to our interest in the matter.

Mr. Whitlock's long report to Washington has never been made public and he has thus been left in the unenviable position that he either misstated an official fact in his report to the American Ambassador in London or that his version has been repudiated by his own State Department upon the authority of his own subsequent statements to Washington.

It was the obvious duty of the State Department either to sustain Mr. Brand Whitlock in the only statement which he has made over his signature, when it was challenged by the German military authorities at Brussels, or if convinced that he did them any injustice, he should have been promptly recalled. The State Department has preferred, however, to gloss over the whole incident by smoothing the ruffled feelings of Miss Cavell's judges and executioners by the press bureau statement in question, while retaining Mr. Brand Whitlock in Belgium as its representative.

Why should the State Department have been under such pains to gloss over this tragic incident and save the face of the German military authorities? The author prefers to assume that the purpose was to save the Minister's status in Belgium for the good that he could render the unhappy civilian population of that country. Had the

incident not been thus glossed over, it is probable that the German Government would have declined, as it could very properly do under international law, to recognize any further the status of the American Legation in Brussels. Freely conceding this, may not the candid historian in future years feel that the temporary advantage was gained at too great a sacrifice? The truth of history was in question and the issue involved in the Cavell case should never have been obscured by this misguided although probably well meant attempt of the State Department to smooth over the friction in Brussels by giving some color to the denial of the German military authorities of one of the most disgraceful features of a dreadful tragedy.

In this last interview between Mr. Gibson and Baron von der Lancken, which took place a few hours before the execution, Mr. Gibson reminded these Prussian officials

> of our untiring efforts on behalf of German subjects at the outbreak of the war and during the siege of Antwerp. I pointed out that, while our services had been gladly rendered and without any thought of future favours, they should certainly entitle you [the American Minister] to some consideration for the only request of this sort you had made since the beginning of the war.

Even the Minister's appeal to gratitude and to one of the most ordinary and natural courtesies of diplomatic life proved unavailing, and at midnight the Secretary of the American Legation and the Spanish Minister, who was acting with him, left in despair. At 2 o'clock that morning Miss Cavell was secretly executed.

The ordinary courtesy accorded to the vilest criminal, of being permitted before dying to have a clergyman of his own selection, was denied her until some hours before her death, for the legal counsellor of the American Legation on October 10th applied in behalf of this country for permission for an English clergyman to see Miss Cavell, and this, too, was refused, as her jailers preferred to assign her the prison chaplain as well as her counsel. Even the final appeal of Mr. Whitlock for the surrender of her mutilated body was denied, on the ground that only the Minister of War in Berlin could grant it. The request was to remove the body from the precincts of the jail to a more seemly place of burial in Brussels. This was denied and so far as known her body remains where it was first buried. One can say of that burial place, as Byron said of the prison cell of Chillon: "Let none these marks efface, for they appeal from tyranny to God."

Apart from the brutality of the whole incident there is one circumstance that makes it of peculiar interest to the American people and which gives to it the character of rank ingratitude. Its representative, as above stated, did advise the German officials that a little delay was asked by our Legation *as a slight return for the innumerable acts of kindness which its Legation had done for German soldiers and interned prisoners in the earlier days of the war before the German invasion had swept over the land.*

The charge of ingratitude may rest soundly upon far greater and broader grounds.

The United States had contributed in money and merchandise a sum aggregating many millions for the relief of the people in Belgium. In so doing it did to the German nation an inestimable service, for when Germany first conquered and then ruthlessly impoverished Belgium the duty and burden rested upon it to support its population to the extent that it might become necessary. The burden of supporting 8,000,000 civilians was no light one, especially as there existed in Germany a scarcity of food. As bread tickets were then being issued in Germany to its people, the supplies would have been substantially less if a portion of its food products had been required

for the civilian population of Belgium, for obviously the German nation could not permit a people, whom it had so ruthlessly trampled under foot, to starve to death. Every dollar that was raised in America for the Belgian people, therefore, operated to relieve Germany from a heavy burden.

Moreover, when the war broke out, Germany needed some friendly nation to take over the care of its nationals in the hostile countries, and in England, France, Belgium, and Russia the interests of German citizens were assumed by the American Government as a courtesy to Germany, and no one can question how faithfully in the last fourteen months Page in London, Sharp in Paris, and Whitlock in Brussels have laboured to alleviate the inevitable suffering to German prisoners or interned civilians.

In view of these services, it surely was not much for the American Minister to ask that a little delay should be granted to a woman, whose error, if any, had arisen from impulses of humanity and from considerations of patriotism. To spare her life a little longer could not have done the German cause any possible harm, for she was in their custody and beyond the power of rendering any help to her compatriots.

Under these circumstances, it would be incredible, if the facts were not beyond dispute, that the request of the United States for a little delay was not only refused, *but that its Legation was deliberately misled and deceived until the death sentence had been inflicted.*

This makes the fate of Miss Cavell the concern of America as much as that of the *Lusitania.* And yet we have the already familiar semi-official assurance from Washington that while our officials "unofficially deplore the act, officially they can do nothing." Concurrently we are told in the President's Thanksgiving proclamation of 1915 that we should be thankful because we have "been able to assert our rights and the rights of mankind," and that this "has been a year of special blessing for us," for, so the proclamation adds, "we have prospered while other nations were at war."

Would it not be better to do more *in fact* and less in words to safeguard the rights of humanity?

President Wilson's initial blunder was in turning away the Belgian Commissioners, when they first presented the wrongs of their crucified nation, with icy phrases as to a mysterious day of reckoning in the indefinite future. An act of justice now will be

worth a thousand future "accountings" after the present agony of the world is ended.

The final scene of the Cavell murder is found in the simple but poignantly pathetic words of the chaplain who was permitted to see the victim a few hours before her death:

> On Monday evening, the 11th October, I was admitted by special passport from the German authorities to the prison of St. Giles, where Miss Edith Cavell had been confined for ten weeks. The final sentence had been given early that afternoon.
>
> To my astonishment and relief I found my friend perfectly calm and resigned. But this could not lessen the tenderness and intensity of feeling on either part during that last interview of almost an hour.
>
> Her first words to me were upon a matter concerning herself personally, but the solemn asseveration which accompanied them was made expressedly in the light of God and eternity. She then added that she wished all her friends to know that she willingly gave her life for her country, and said: "I have no fear nor shrinking; I have seen death so often that it is not strange or fearful to me." She further said: "I thank God for this ten weeks' quiet before the end." "Life has always been hurried and full of difficulty." "This time of rest has been a great mercy." "They have all been very kind to me here. But this I would say, standing as I do in view of God and eternity, I realize that patriotism is not enough. I must have no hatred or bitterness towards any one."

We partook of the Holy Communion together, and she received the Gospel message of consolation with all her heart. At the close of the little service I began to repeat the words "Abide with me," and she joined softly in the end.

We sat quietly talking until it was time for me to go. She gave me parting messages for relations and friends. She spoke of her soul's needs at the moment and she received the assurance of God's Word as only the Christian can do.

Then I said "Good-bye," and she smiled and said, "We shall meet again."

The German military chaplain was with her at the end and afterwards gave her Christian burial.

He told me: "She was brave and bright to the last. She professed her Christian faith and that she was glad to die for her country. She died like a heroine."

It would be interesting to compare these last hours of one of the noblest women in English history to those of that Greek maiden, whom the genius of Sophocles has glorified in his immortal tragedy. The comparison is altogether in favour of the English heroine, for while Antigone went to her death bravely, yet her final words were those of bitter complaint and lamentation.

Compare with these laments the Christlike simplicity of Miss Cavell's last message to the world,

and the difference between the noblest Paganism and the best of Christianity is apparent. The white light of Calvary illumined her dark cell! Standing "in view of God and eternity," she uttered the deeply pregnant sentence that "patriotism is not enough." Her executioners had illustrated this, for the ruthless killing of Edith Cavell for military purposes was actuated by that perverted spirit of patriotism which believes that any wrong is sanctified if it serve the State.

The dark secrecy of the execution gave rise to many false statements with respect to the nature of her end. As these exaggerated the horror of the deed and intensified the feeling of indignation against her executioners, they should be corrected. Some of these reputed details are too horrible for statement.

The facts as narrated by the German prison chaplain, who seems to have been a very noble and humane man, are very simple. Miss Cavell walked bravely to the place of her execution and simply inquired where she should stand. This was indicated and she was asked whether she preferred to be blindfolded, to which she replied "No." She folded her arms and then simply said to the firing squad "I am ready," and was then instantly killed.

What words could describe the feelings of that firing squad when they saw the body of this brave and noble woman lying lifeless at their feet?

Thus died Edith Cavell, assuredly one of the noblest women in the history of the world. To her memory a statue is to be erected in Trafalgar Square but no art could fashion a statue worthy of the nobility of her soul.

One can say of her, as was said of William the Silent, who was also assassinated, that when she died "the little children cried in the streets."

In selecting this incident from among thousands of similar tragedies, which have marked Germany's bloody rule in Belgium, the author did not select the worst, even though Edith Cavell's trial and execution has had, by reason of the lustrous beauty of her example, a more powerful appeal to the pity and imagination of the world than the death of any other martyr in this cruel persecution. She at least had committed some violation of German military law. She at least had the form of a trial.

The author selected this case, not only because the present German Secretary of State for Foreign Affairs, Dr. Alfred Zimmermann, has attempted to defend this murder, but also because this

incident was best calculated to focus the attention of my readers upon the ghastly tragedy of Belgium. Such a tragedy can only be grasped in one of its single incidents. It defies appreciation in its multiple aspects. The finite mind of man cannot grasp the spectacle of wholesale death. Just as the statistics of astronomy stupefy the intellect, so the mind of man refuses to appreciate the aggregate of any great catastrophe. Millions who have shed tears over the death of Colonel Newcome have read with apathetic interest that in the Russian campaign of Napoleon one hundred and twenty-five thousand perished in battle and one hundred and twenty-three thousand died of hunger and of cold.

All attempts, therefore, to convey to the imagination the frightful catastrophe of Belgium failed by reason of the immensity of the subject; but a concrete case, like that of Edith Cavell, floods the mind with dazzling light and the horror of this moral *débâcle* becomes appreciable.

I need not further speak of the details of the invasion. The soul of any humane man revolts at their recital and the mind sickens at their contemplation. The sack of Rome under Charles V. and the siege of Magdeburg under Tilly—two of the blackest chapters in history—involved the

pillage only of a city. In the full noonday of the twentieth century the world was to witness to its lasting horror the pillage of a nation.

Towns, villages, and cities were laid in ruins, noble temples of religion and learning destroyed, and countless thousands of Belgian non-combatants, including old and young and women and children, priests and laymen, pitilessly murdered. Before the work of this "Bloody Council" had ended, at least six thousand Belgian non-combatants had been slaughtered. In modern times we must look to Armenia and Poland for an equally iniquitous slaughter of the innocents.

In his Christmas pastoral letter of 1914, addressed to a people who would have known the truth or falsity of his statements, Cardinal Mercier said:

> We can neither number our dead nor compute the measure of our ruins. . . . Families hitherto living at ease are now in bitter want. All commerce is at an end. All careers ruined. Industry at a standstill. Thousands upon thousands of workmen without employment. Working women, shop girls unemployed, servant girls without the means of earning their bread, and poor souls forlorn in the bed of sickness and fever crying, "Oh, Lord, how long, how long."

Let us assume, without conceding, that Germany, having committed the crime of treacher-

ously invading a friendly country, was yet compelled by military necessity to subjugate an infuriated people to its will by sternly repressive measures, yet when such work of subjugation was complete and nearly all of Belgium was in the conqueror's hands, the obligations of international law and peculiar considerations of generosity and magnanimity required that Germany should not merely care for the people it had abused, ruined, and impoverished, but should mitigate the evil consequences of her wanton attack so far as possible. In his speech before the Reichstag, the German Chancellor, now asking peace in the name of humanity—God save the mark!—promised the entire world that the "wrong," which he freely admitted his country was doing to Belgium, would be made "good as soon as our military goal has been reached." Distrustful of the promise, more than a million Belgians had fled to neighbouring countries, and the German authorities, when enforced peace in Belgium was measurably restored, invited them to return upon the express promise, given by Baron von der Goltz, the Military Governor, to Cardinal Mercier, that their liberties would be respected and that they would not be obliged to work against their will, much less to serve against their country.

A deeper obligation of the highest honour rested upon Germany. Under international law, she was obliged to support the people whom she had, to serve her own ends, cruelly impoverished. To her lasting shame, Germany refused to fulfil an obligation resting upon the broadest considerations of humanity and peculiarly incumbent upon her in view of the acknowledged wrong that she had done Belgium in her treacherous attack and the solemn promises of reparation that she had made. She promised bread, she gave a stone. In an incredibly short time, she cut off Belgium from the world and ruined her by the wholesale spoliation of her resources.

Germany then, by deeds if not by words, invited, not only her enemies, but the neutral world, and especially the United States, to come to the relief of a people whom she had reduced to destitution. While recognizing that every dollar contributed for this purpose was an indirect contribution to German resources in relieving her of a manifest obligation, yet France and England, constrained by gratitude and pity, contributed more than $200,000,000 to relieve the impoverished population. The people of the United States, by private contributions contributed approximately $10,000,000 and no Ameri-

can, who gave to this cause, from the penny of the child to the larger gifts of the well-to-do, ever believed that Germany would either directly or indirectly deprive the Belgian people of the benefit of these voluntary gifts until the truth was forced upon them.

Instead of respecting this sacred obligation, Germany perpetrated a wicked and stupendous fraud upon the entire world. While the rest of the world, belligerents and neutrals, were sending a stream of gifts for the relief of the Belgian people, Germany, in violation of international law and the dictates of humanity, was stripping the Belgian people of its resources. It did not take the food, clothing, and money contributed by the charity of the world, but it did take by force and fraud other possessions of the Belgian people, and the very means by which they lived and worked. No crime could be more ignoble. The charity of the world has kept the Belgium people alive, but it has not saved them from destitution. Universal poverty is now their portion, for of a population of seven millions, more than five hundred thousand working men are idle and more than a million men, women, and children daily wait in the bread line for sufficient food to keep alive.

The war manual of the German General Staff, from which the author has already quoted (p. 237), also provides that it is the duty of German commanders "ruthlessly to employ the necessary means of defence and intimidation." And again, that a commanding officer neglects his duty unless he resorts to "the ruthless employment of such severity." "Ruthless," twice repeated, suggests the spirit of Prussian militarism.

Pursuing this policy, the conqueror proceeded systematically to despoil Belgium. The army of occupation surrounded Belgium with a barbed wire fence charged with electricity. It forbade travel, or communication by the mails. It took the raw materials from the warehouses, the specie from the banks, the securities from individuals, the copper coinage from the hands of the people, the machinery from many factories, horses, cattle, and implements from the farms, mineral products from the mines, products of iron, copper, or steel, and transported them to Germany for the use of its own people. It is estimated that this "booty," another favourite term of the Prussian General Staff and savouring of the Middle Ages, amounted to $500,000,000. A part of this pillage was directly confiscated, while a part was seized under pretended "requisitions," for which paper

acknowledgments were given, to be honoured or dishonoured as will hereafter suit the necessities or desires of Germany.

It may be conceded that all the substance of the Belgian people was not taken, but enough was to reduce one of the wealthiest and thriftiest peoples of the world to general destitution. Even the goods of the merchant, the manufacturer, and the farmer, which in some instances and localities were left to the Belgians, were put under German control and could only be sold by sufferance and permission and at prices fixed by the conqueror.

As if this were not enough, the financial resources of the country were then drained by taxation. Levies were made in money amounting to $200,000,000 and these still continue at the rate of $8,000,000 per month. To these formal requisitions were added oppressive fines upon municipalities for offences, often trivial, which drained the conquered people of the last of their pecuniary resources.

The Conqueror, having thus, to use its own words, destroyed the "intellectual and material resources" of its victims, then proceeded to appropriate their labour by reducing them to a state of labour slavery. The German authorities obtained

a list of the unemployed and reserved to itself the right of allotting work to the unemployed. It provided by the ordinance of May 2, 1916, that if any person carried out any work by means of the unemployed, without the consent of the German Military Government, he would be punished with three years' imprisonment and a fine of 25,000 francs.

By a subsequent order of May 13, 1916, the military authorities in the various districts were directed to remove by force the unemployed to places where they were required by their German oppressors to work. This was the beginning of the slave raids, now in progress to the horror of the world.

At the beginning of 1916, when the work of spoliation and terrorism had been completed and peace of the "Warsaw" variety reigned in Belgium, it was thought that Prussia's cup of infamy was full to the very brim and that nothing could it to damnation add greater than that. The Prussian Government had still its culminating atrocity in reserve. This was to imitate the barbaric methods of ancient nations in carrying free citizens of a conquered nation into temporary slavery.

This system of enforced slavery began under peculiarly malignant circumstances during the

Easter celebration of 1916, when hundreds of women and young girls in Belgium and northern France were ruthlessly and suddenly torn from their homes and shipped to detention camps, where they were obliged to work in the harvest fields under Prussian bayonets.

As a distinguished American, who actually beheld in the occupied territory some of the details of this new form of "white slavery," told the author, a husband would leave his home in the morning to earn bread for his wife and children, and on returning in the evening he would find that his wife and daughters had been taken in his absence and transported to some unknown destination and equally unknown fate. It is said, and is probably true, that the victims of this slave raid last Easter were returned to their homes in the autumn after the harvest had been gathered; but it further aggravates the blackness of the offence against chivalry and justice, that even the product of this enforced toil did not at first go to the relief of the Belgian people themselves but was transported to Germany. The brave protest of the American Commission,—and lasting honour shall be the portion in history of that heroic American, Herbert Hoover!—finally succeeded in regaining for the work of his Belgian Relief Com-

mission a part of the harvest which the women slaves of Belgium had reaped by their enforced labours.

The culminating chapter of this black volume of human oppression has been reached, as this book goes to press, for while the seizure and enforced labour of French and Belgian women was atrocious, because of their sex, yet at least they were permitted to work in their own country. Early in October, 1916, the Prussian slave raiders began to pass from village to village and town to town, ruthlessly apprehending men of the labouring classes, ticketing them like slaves, herding them like cattle in cattle cars, and transporting them into Germany, in order to help Germany indirectly to fight its enemies and thus in part keep their own country under subjugation. Already more than one hundred thousand Belgians have been thus deported.

One pretended justification has been the fact that Belgian civilians in the first few weeks of the invasion fought in contravention of international law. That is precisely what the "minute men" of Lexington and Concord did, but even in the last part of the eighteenth century, when international morality was not that of the twentieth century, General Gage did not burn in

revenge hundreds of villages and towns of New England, destroy public edifices, deprive the people of their resources, shoot the leading men and reduce the "minute men" to slavery.

It is also said that these steps are necessary, because of the idleness and poverty of the unhappy people, but who caused the idleness and poverty, if not the army of occupation? This excuse suggests the fable of the wolf, who devoured the lamb for muddying the stream, although as the lamb vainly pointed out, it was standing farther down the stream.

If these horrors, such as the civilized world has not known for centuries, were disputed or otherwise open to contradiction, dispassionate men of all nations would for the honour of our common humanity prefer to believe that they were untrue. The German Government, however, does not dispute the fact that more than one hundred thousand Belgians have been deported in less than three months, but simply seeks to justify it on the grounds above indicated and on the further pretence that the English blockade has reduced the people of Belgium to destitution by cutting off the supplies of raw materials and thus denying them the opportunity to work. This pretence, however, ignores the fact that

the factories of Belgium had been largely stripped of their machinery by the army of occupation, that the employment of the unemployed is forbidden except by permission of the German military authorities and that the English Government has twice offered to permit the exportation to Belgium of raw materials provided that their distribution shall be supervised by the American Relief Commission, in order to prevent the appropriation by Germany of such raw supplies for its own purposes.

Belgian factories were chiefly engaged in textile products for which cotton and wool are needed requirements. It is not disputed that Germany has great need of both cotton and wool, and no fair-minded man can say that the position of England is unreasonable in asking that safeguards be given that any cotton and wool exported to Belgium for its afflicted people shall not be sent into Germany, in view of the fact, to which reference has already been made, that the immense relief work of England and France in Belgium through the American Commission has been largely, although indirectly, frustrated by the action of the German Government in appropriating the substance of the Belgian people.

Germany failed to give to England satisfactory

guarantees and in view of its persistent bad faith in the matter of Belgium, it is difficult to understand what guarantees the German Government could give to England that would reasonably satisfy its Government. The inconvenience of the "scrap of paper" theory in foreign politics is that a nation, which has such cynical disregard for its promises, finds it extremely difficult thereafter to give any assurance that assures.

To the absurd pretence of the German Foreign Office that the enforced enslavement of Belgians is intended for their welfare and that the men caught in the slave raids depart for Germany voluntarily and in a happy and contented frame of mind—as Berlin would have us believe—it is only necessary to reply in the words of Abraham Lincoln, addressed to a similar justification of negro slavery:

> I never knew a man who wished to be a slave. Consider if you know any good thing that no man desires for himself.

To this pretence of a willing acquiescence by a brave people in degrading slavery, it is enough to oppose an extract from the sermon which Cardinal Mercier delivered to his harassed flock in the Cathedral in Brussels on November 26th.

Standing in the pulpit, facing the altar, which to him is the very altar of the living God, and addressing a people who well knew the truth or falsity of his words, if he had been disposed to exaggerate the conditions, this noble Priest of God said:

> The four or five weeks that I have just passed have been perhaps the most painful of my life, the most anguishing of my episcopal career. The fathers and mothers who are pressing about this pulpit will understand me.
>
> I have seen hundreds of my flock in peril and in tears. During three days, on Sunday, Monday, and Tuesday last, from morn to eve, I went about the regions whence the foremost workmen and artisans of my diocese were taken by force into exile. At Wavrecourt, St. Etienne, Nivelles, Tubize, and Braine l'Alleud I entered more than a hundred half-empty homes. Husbands were absent, children were orphans, sisters, sad-eyed, and with inert arms, sat beside their sewing machines. A gloomy silence reigned in these cottages. It was as though there were a corpse in the house. But hardly had I addressed a word of sympathy to the mother when there was an outburst of sobs and lamentations, of angry tones, with movements of magnificent pride. . . .
>
> I say to you, my brethren, without hate or a spirit of reprisal, that I should be unworthy of this episcopal ring, which the Church placed upon my finger, and of this cross, which she placed upon my breast, if, obeying a human passion, I hesitated to

> proclaim that law violated remains none the less law and that injustice based on force is none the less injustice.

No comment could do justice to the enormity of this offence against a brave and free people, whom Germany at first treacherously attacked, then impoverished, and is now at least temporarily enslaving. For this culminating atrocity, there can be no full atonement until the Hohenzollern dynasty is driven from its throne of power into the darkness of exile.

The question which concerns Americans is, what the United States, as the greatest of the neutral Powers, proposes to do?

Its government has made a protest, couched in the "friendly" terms characteristic of diplomacy, and then done nothing more, except to say in a statement attributed to the State Department that the resources of diplomacy have thus been exhausted. Such resources were not regarded as "exhausted" when Spain disregarded the protests of the United States with respect to the misrule of Cuba. Such resources were not exhausted after the *Sussex* was sunk. The United States declared war against Spain for an offence which, by comparison, was trivial, namely, the gathering of the non-combatants of Cuba into concentration

camps, to facilitate the operations of the Spanish Army in putting down the Cuban Rebellion.

It is probably in the power of the United States, without recourse to arms, to bring this system of oppression to an end. At one strong insistent word from America, accompanied by the evidence of a fixed intention to support its just demands by force of arms, would not the shackles of slavery fall from the bent forms of the Belgians?

Belgium has been nailed to the cross for the welfare of civilization. Neither America nor the whole neutral world should wait until she cries, "It is finished."

VI

AMERICA AND THE ALLIES

"It is a great error and a narrowness of the mind to think that nations have nothing to do one with another except there be either an union in sovereignty or a conjunction in pacts or leagues; there are other bands of society and implicit confederations."

—Lord Bacon.

VI

AMERICA AND THE ALLIES

[The author, at the invitation of the Pilgrims' Society of London, went to England in the summer of 1916, and, on July 5th, addressed at a luncheon, given to him in London, a distinguished gathering of English public men of all classes. Viscount Bryce presided, and his speech, in proposing the author's health, conveyed to the American people a very significant message as to the attitude of England. This speech is printed in the Appendix.

The author's reply was intended to be an explanation of the attitude of the American people.]

My Lords and Gentlemen:

Let me in the first place say to Viscount Bryce that I shall carry back the message, with which he has done me the honour to entrust me, and it will receive a very ready response among the thoughtful people of my country, for I am persuaded that the best thought of America is that it would be a world-wide calamity if this war did not end with a conclusive victory for the principles so nobly defended by the Allies. I will also carry back

the possibly unnecessary message that this war is not going to be a draw. I was in this country in the first month of the war, and England then reminded me of a great St. Bernard dog, which in a spirit of *noblesse oblige* complacently wagged its tail when attacked by a powerful adversary. Today England seems to me like a bull-dog with the business end of his jaws firmly set in his assailant's throat.

Let me further say, by way of introduction, that I also accept with great hesitation the magnificent compliment which the author of *The American Commonwealth* has been pleased to pay me. I know full well that in the generous appreciation, which you have shown me, and which he has confirmed by his gracious reference to the little I have done, your friendly attitude exaggerates any service that I was privileged to render to your cause, and yet I shall not blunt the fine edge of the compliment by too vigorous a disclaimer. Lord Bryce's name in my country carries immense weight, possibly more so than any other publicist of any nation. When he speaks, whether in printed page or oral speech, we are accustomed to accept it as almost *ex cathedra*, and I therefore feel in view of what he has said about my contribution to the controversial history of the war, very

much as Dr. Johnson did when he visited King George III. and His Majesty was pleased to make some very complimentary remarks about the Fleet Street philosopher's dictionary. When Dr. Johnson returned to the ever faithful Boswell, and told him with natural gratification what His Majesty had said, Boswell said: "What did you say when the King praised your dictionary?" Dr. Johnson replied: "Am I a man to bandy words with my Sovereign? If His Majesty says that my dictionary is the best in the English language, it must be so." Similarly I shall accept, not without great misgivings, Lord Bryce's gracious introduction and the generous references which he has made to *The Evidence in the Case.*

I have crossed the ocean to bring to you a message of good will from the American Pilgrims, and because you are all busy men I wish to speak as briefly and rapidly as possible. I have not any prepared speech. This is not the time for didactic essays or ornate orations. In these dreadful days —to use the fine phrase of Tom Paine, "the times that try men's souls"—the only thing that is valuable in speech is sincerity, and it is in that spirit I wish to speak to you about the one topic of which you may wish to hear me: namely, the relations of the United States to this war and to the Allies.

There is one obvious limitation upon any discussion of the subject at my hands. Whatever may be my views at home, I cannot discuss the political policies of the party of the day in the United States. I have very strong convictions with respect to many of these policies, and I have not hesitated to express them with great freedom to audiences of my own countrymen, but if I shall ever be tempted to criticise in a public gathering in a foreign land either the President of the United States or the Government of the day, may my tongue cleave to the roof of my mouth!

Be the acts of a political Government what they may, the vital importance for the great future is what has been the spirit of the people, because in the long run that is more significant than the temporary policy of any party of the day. I have gratifying news to bring to this distinguished audience as to the attitude of the American people.

I was in England, as I have said, in the first month of the war. I remember with what interest, perhaps I might almost say solicitude, thoughtful Englishmen asked, when the war came as a bolt out of the blue, what will be the verdict of America? It was not merely the sentimental side of that verdict which interested you, although I think some of you attached great importance to

what your kinsmen across the Atlantic would say as to the ethical aspects of the great controversy. But there were obvious practical aspects with respect to your great Empire which made the question of some importance. It was important to know how America would view a great world crisis, as to which all its past political traditions gave it no preliminary prepossessions.

The verdict that came to you across the Atlantic was spontaneous and overwhelming. We have in our history viewed with varied feelings and a lack of clearly preponderating views the previous wars of Europe in the nineteenth century, as we considered them in their ethical and practical aspects. But in this case the overwhelming sentiment of the people, whether expressed by press or pulpit, by university or college, by bankers, merchants, or the masses toiling in the factories and the fields, was overwhelmingly in favour of the Allies. Excluding one or two elements of our population, which by reason of ties of blood to some extent ran counter to that general opinion, the preponderating judgment of the American people was then and after eighteen months remains today, without diminution or shadow of turning, heart and soul with the Allies.

While that verdict needs no further statement,

for it is a commonplace of our current political history, yet it has certain features which may not have received full recognition in this country.

In the first place, it was a *dispassionate* verdict. I mean by that it was little affected by racial kinship. I believe that the American people, if they had thought that England was in the wrong in unsheathing its sword on behalf of Belgium, or in entering upon this great world quarrel, would have reached that conclusion but little influenced by racial kinship or the ties of blood. The verdict was as clearly dispassionate as one could expect in a verdict of human beings.

In the second place it was not an *academic* verdict, reached after coffee at the breakfast table and forgotten before the shadows of evening fell. It was a verdict rendered after one of the greatest intellectual controversies that my country ever knew. For eighteen months its people day and night discussed this question; it was a commonplace of conversation to say that whenever a group of intelligent men and women were gathered together all subjects inevitably led to the war. Moreover, Germany, appreciating the value of the American verdict, did not hesitate to appoint its *advocatus diaboli* in the person of Dr. Dernberg, and he and other professional propagandists, open

or secret, financed by millions, and aided by thousands of German volunteers, attempted at every crossroad and in the centres of our cities, to reverse that verdict by a very torrent of controversial argument and by appeals to every idea or interest which they thought might impress the American. They appealed to our supposed cupidity, our fears, our prejudices, our interests, to every consideration which might affect the spontaneous verdict that was first pronounced. Yet they were finally obliged to admit that this judgment of the American people was a settled, matured, deliberate, and irrevocable judgment, in no respects academic but such a judgment as a court of law would pronounce upon a consideration of all the facts.

Again, this verdict was a *militant* verdict. I mean that the American people did not in a spirit of moral dilettantism merely express an opinion about this war, and then resume their normal activities. To an extent far greater than perhaps some of you appreciate, American men, women, and children have been for eighteen months working in their several capacities, either to alleviate the sufferings of the war or to stem the German propaganda, by building up a strong militant public opinion for the Allies. So that if the war is a war primarily of ideas and ideals, we have

been participants to some extent, and our part has not been only that of a cold, callous, selfish outsider, as some have thought.

Finally, this verdict was in a sense a *disinterested* verdict, by which I mean that it was little affected by our own interests. We did not ask whether it was to our advantage that this or that group of nations should triumph. Indeed, our sense of detachment made it seem to us that neither the fate of Belgium nor Servia nor even the "balance of power" in Europe affected us directly, and it was therefore the ethical aspects of the issue which powerfully appealed to our emotions and made us enthusiastic adherents of the Allies' cause.

You will, however, ask, that if the verdict were thus overwhelming, why did it not find a greater reflex in the action of the American Government as a political entity?

I have said that I cannot discuss the political policies of the party of the day of my country. While I am not of that party, still it speaks for my nation, and while I reserve the right to criticise it in my own country, yet with every true American, politics stops at the margin of the ocean, and therefore I cannot criticise the present Administration at Washington in a foreign land. But I can give you the reason why in the very nature of things the

United States as a political entity could not be expected to take any other part than that of neutrality in this world crisis.

England and the United States are the two most conservative democracies of the world. Each loves settled institutions. Each clings to the old and dreads the new. They believe that that which has in the past been tried has a violent presumption in its favour.

Never was a nation more dominated by a tradition than the United States by the tradition of its political isolation. It has its roots in the very beginnings of the American Commonwealth. In nine generations no political party and few public men have ever questioned its continued efficacy. The pioneers, who came in 1620 across the Atlantic to Plymouth Rock, and founded the American Commonwealth, desired, like the intrepid Kent in *King Lear*, to "shape their old course in a country new," so that the spirit of detachment from Europe was implanted in the very souls of the pioneers who conquered the virgin forests of America. Its history in the colonial period was marked by a constant struggle between this spirit of detachment and the centralizing demands of the Mother Country. The Revolution was not merely caused by a penny stamp on tea.

America proclaimed its independence from this powerful instinct of separation and detachment. When Washington in the Napoleonic wars proclaimed a policy of neutrality, he again expressed the instinctive feeling of his countrymen that America should not be the shuttlecock of European politics. It had had long and too bitter experience of this. As Macaulay said, the rape of Silesia had made the whites and Indians fight upon the shores of the Hudson and the Great Lakes.

When Washington gave in his great Farewell Address his last testament to his countrymen, he defined the foreign policy of the United States better than it has been defined before or since. He said that Europe has a "set of primary interests which to us have none or a very remote relation," and therefore he advised that we should not by "*artificial* ties implicate ourselves in the *ordinary* vicissitudes of her politics or the *ordinary* combinations and collisions of her friendships and enmities."

My countrymen for many generations have accepted this counsel of our Founder as infallible, but they have not always appreciated the weight that Washington meant to give to the expression "artificial ties," and "ordinary vicissitudes and ordinary enmities." Washington recognized that there might, as is now the case, be an extra-

ordinary vicissitude, in which a conflict, while originating primarily on the Continent of Europe, and primarily affecting its internal politics, might also affect the very bases of civilization, and impose upon the United States, as upon every civilized nation, the fullest responsibility to aid in maintaining the peace of the world by establishing international justice. By "artificial ties" Washington meant, I think, hard and fast alliances of an entangling nature. He did not intend to ignore the natural ties, which spring from racial kinship or common ideals.

The Monroe Doctrine illustrates the same policy of isolation, for it was founded upon a disclaimer of any interest by the United States "in the internal affairs of Europe."

I appeal to you, men of England—and many of you here present stand high in the public life of this country of settled traditions—if a tradition had existed in England for three centuries, and had persisted among nine generations of men who, although they differed upon every other question, yet never differed with respect to such policy, could you reasonably expect that in a day or a week or a year that England, even in a great crisis of humanity, would throw aside a great settled tradition, the value and justice of which all its political parties

had accepted for three centuries? If such a policy had had in successive generations the unquestioning support of the elder and the younger Pitt, of Fox, Camden, Burke, Sheridan, of Peel, Palmerston, and Russell, of Gladstone, Disraeli, and Salisbury, of Balfour, Bonar Law, Asquith, and Sir Edward Grey, and then a quarrel arose in another country three thousand miles away, would England in a day or a month or a year have disregarded a tradition of such exceptional authority? *Mutatis mutandis*, and that was the position of the United States on August 1, 1914.

Were this all, the attitude of the United States as a political entity would be easily understood. But we have another tradition, which in this crisis has conflicted with our tradition of isolation.

In every true American soul in the last two years there has been an irrepressible conflict of ideals. One was this ideal of detachment from European politics; the other was the ideal which we derived from the French Revolution, namely, the spirit of cosmopolitanism, which taught us that humanity was greater than any nation; that the interests of civilization were above those of any country; that above all there was a conscience of mankind, by which the actions of any nation must be judged.

When, therefore, the rape of Belgium affronted our conscience, the question inevitably arose, "shall we abandon the great tradition of political isolation, under which we have grown great, or shall we fail by inaction to do a duty, where the spirit of international justice imperiously calls upon us and every nation to play its part?"

The practical genius of our people tried to solve the problem as best it could in so short a time, and our government was permitted by public opinion to follow an official policy of neutrality, which I think it is no exaggeration to call one of benevolent neutrality to the Allies, while the people of the United States, as individuals and collectively, proceeded to ignore the policy of moral neutrality by helping the Allies in every practicable way in their noble struggle for the best interests of civilization.

I believe that this war, among its many other compensating benefits, will bring nearer to realization than ever before a sympathetic understanding between Great Britain and the United States. We appreciate the greatness of your Empire more than we, I think, appreciated it before. Our views in the past have been somewhat affected by our earlier history, and to a greater extent than you may imagine by the Napoleonic wars, because

every American boy, at least in the exuberance of youthful imagination, ranks the great Napoleon as his hero next to Washington. This has always affected the attitude with which the American in the past has viewed the policies of your Empire. But now we have seen your Empire rise, in this great crisis of civilization, to defend the rights of a little nation, and reveal itself—to use Milton's splendid imagery—as "a noble and puissant nation, rousing itself like a strong man after sleep and shaking her invincible locks."

With deep admiration we have seen Great Britain follow the noblest policy in all its long and glorious history in staking its whole existence to save Belgium and aid France. The immortal valour of "Tommy Atkins" has also powerfully impressed us. We saw you, within three days, send that little army—little in this war—of over one hundred thousand men across the Channel, and offer them as a sacrifice to save your great and heroic neighbour on the south of the English Channel. We saw the thin red line at Ypres, suffocated by gases, rained upon by shrapnel, opposed by forces fourfold greater than their own, and yet standing like a stone wall against the red tide of Prussian invasion. We saw Tommy

Atkins realizing that song that I heard in London twenty years ago:

> "To keep the flag a'flying,
> He's a'doing and a'dying,
> *Every inch of him a soldier, and a man.*"

That has been one great benefit of the war to us, that it has brought us into a deeper understanding and more sympathetic appreciation of your great Empire. If I were asked to say who was *unwittingly* the most beneficent statesman of modern times, I should undoubtedly say the Kaiser, for he has consolidated the British Empire, reinvigorated France, reorganized Russia, and has brought the United States and Great Britain nearer to a realization of that complete sympathetic understanding, upon which an *Entente Cordiale* may ultimately rest, than any other individual in the world.

An *Entente Cordiale* must rest not merely upon a sympathetic understanding, but, as long as men are human, to some extent upon common interests.

We are entering upon the most portentous half-century the world has ever seen. You will end this war, and you may end it speedily or within six months, or a year, or two years. But what lies beyond? Over ravaged homes, desolated fields,

and new-made graves, men will gaze at each other for possibly fifty years with irreconcilable hatred. This world will be a seething cauldron of international hatred, in my judgment, for half a century.

In this portentous and critical time to come, the United States will need you, and England will need the United States.

May this possible inter-dependence in vital interests lead us to a practical recognition that these two great divisions form a spiritual Empire of the English-speaking race, not made by constitutions, written documents, or formal alliances, but constituting, as Proudhon said in 1845, of Society in general a "living being, endowed with an intelligence and activity of its own, and as such, a [spiritual] organic unit." This great Empire of the English-speaking race must stand united in spirit, though not organically, for unless it stands together, there is little hope that in these dreadful years to come there will be the maintenance of any permanent peace in the only way that peace can be maintained, namely, through the vindication of justice.

I have taken far too long, but I may add that in order to develop this sympathetic understanding we must fully appreciate the difficulties of each nation and "bear and forbear."

For example, we have learned to appreciate that which your Empire has done. But if you will pardon me, I do not think you adequately appreciate the great difficulties of the United States in this crisis, which would have been great if we had only to contend with our heterogeneous population. Has it ever yet occurred to you that we have in the United States of teutonic origin, counting birth or immediate parentage, a population equal to one third of all the men, women, and children of Great Britain. Then we have, as I have explained, the great difficulty of a persistent tradition, which in all generations has powerfully influenced the American mind and has been hitherto vindicated by its results. Can you not see that you must not misinterpret a nation, which cannot in a day abandon a cherished tradition, even if it be conceded that the interests of civilization required it?

Then there is a disposition on this side to misinterpret what we have tried to do as a people to help you. Some of the very things for which we have been most criticised are those that seem to me to redound to our credit.

Take, for example, the sale of munitions. It is believed by many here that we have in a sordid and mercenary way deliberately profited by this world

tragedy; that, while civilization was nailed to the Cross, America, as the Roman soldiers, contented itself with dividing the raiment of the crucified.

Only an infinitesimal portion of the American people directly profited by this traffic. Indirectly it is true we have all profited by the immense prosperity thereby stimulated, but have you thought of the other side of the ledger? We have abandoned not only an unbroken friendship with the first military power of the world to give you munitions; but we have incurred an obligation that will weigh heavily upon us in future years far beyond any possible economic profits that our industries may temporarily gain by furnishing the Allies with munitions. To have placed an embargo on munitions to safeguard our internal peace and outward safety would not have violated neutrality in a legal sense. Sweden and Holland have forbidden many exports to protect their vital interests. We refused to do so as to war munitions, because the American people believed that in the earlier stages of the war you needed and deserved our aid and were determined that at any cost you should have it.

We fully realized that in doing so we exposed ourselves to a great and continuing peril. Why did 140,000 men recently parade the streets of

New York from early dawn to night? Why did 100,000 men march in Chicago? Why 60,000 in Boston? Was it Mexico? We no more fear a possible war with Mexico than a St. Bernard dog cares for a black-and-tan terrier.

What was the meaning of this outpouring of all classes? We knew that we had incurred the undying enmity of Germany by doing you a service. We know if she wins this war or even makes it a draw, that as sure as political events can ever be prognosticated, Germany will one day settle her account with the United States, for there is no country in the world next to the British Empire that Germany today hates as she does the United States. To avoid this very danger, which will burden us for generations to come, shifty politicians attempted to put an embargo on the export of munitions, but public opinion said "No," and our President called Congress together and made them stand up and be counted, and thereafter no further threatened interruption stopped the flow of munitions to the Allies. As a result we are now doubling our Army and largely increasing our Navy, and future generations will bear the burden.

Do you realize that not only have we contributed by the sacrificing labours of men, women, and child-

ren at least £10,000,000 to relieve the frightful suffering in this war, but that over sixteen thousand American boys are fighting under the Maple Leaf for the Union Jack; and ten thousand more are serving under the tricolour of France? The youth from our colleges and universities are serving with the ambulances, and doing the arduous and often dangerous work of taking the wounded from the trenches. If the bones of your sons are now buried in France there also are the bones of many brave American boys, who, without the protection of their flag, and with only the impulse of race patriotism, and an ardent spirit of chivalrous idealism, have gone and given their young lives as a willing sacrifice.

Therefore, I say to you, men of England, if there are pinpricks, do not misjudge the American people, who have done what they did under the most trying and delicate circumstances, and whose loyalty to the spiritual Empire of the English-speaking race has been demonstrated in this crisis of history.

I am reminded of a scene I once saw in Lauterbrunnen, that most beautiful valley in all the world. There are the three crowning peaks of the Bernese Oberland, the Eiger, the Monch, and the Jungfrau. They are apparently

separate, and yet are eternally rested upon the common granite foundation of one undivided range of the eternal Alps. I like to think that the three great democracies of civilization, Great Britain, France, and the United States, while separate peaks in a purely political sense, yet also stand upon a common foundation of democracy and liberty.

When I was in this Valley of Lauterbrunnen a Swiss guide sounded an echo of an Alpine horn. He played the four notes of the common chord, and as they reverberated back across the valley from the sombre bases of the higher Bernese Alps they were merged into the most gracious and beautiful harmonies that the mind of man could conceive. It sounded in that vast Cathedral of Nature as a divinely majestic organ. May not these four notes, thus mingled, typify the common traditions of these three great democracies and create a lasting harmony, which will contribute to the symphony of universal progress?

The Swiss guide also asked me to hear the echo of a little brass cannon, and as he fired it the effect was bewildering. It seemed to me as if the very mountains had toppled from their bases. The smoke of the cannon drifted across my eyes, and for a moment obliterated the majestic range

of the Bernese Alps. Finally the smoke cleared away, and the Eiger, the Monch, and the Jungfrau were again revealed in their undiminished beauty. May not that little cannon well typify Prussian militarism?

When the smoke of this Titanic conflict passes from our eyes and the echoes of this portentous war shall die away into the terrible past, we shall —please God—see outlined against the infinite blue of His future these great democracies of civilization—Great Britain, France, and the United States.

No organic connection between them is necessary to exert their collective and most potent influence upon the world, for it was well said by one of the profoundest thinkers of all time, Francis Bacon, that

> it is a great error and a narrowness of the mind that nations have nothing to do one with another except there be either an union in sovereignty or a conjunction in pacts or leagues; *there are other bands of society and implicit confederations.*"

VII

THE VISION OF FRANCE

"France, whose armour conscience buckled on
Whom zeal and charity brought to the field
As God's own soldier."

—SHAKESPEARE.

VII

THE VISION OF FRANCE

[Mr. James M. Beck, formerly Assistant Attorney-General of the United States and the author of *The Evidence in the Case*, has just returned from England and France, where he was entertained by many soldiers and statesmen in both countries and where he was able to witness for nearly a week the battle front from Verdun to Rheims. On his return he responded to the toast "France" at a banquet given by the France-America Society on the birthday of Lafayette on September 6, 1916, in honour of M. Jusserand, the French Ambassador. As his speech is of general interest, *The Times* reprints it in order that a wider audience than those who attended the dinner may read Mr. Beck's testimony to the spirit of France.—New York *Times*.]

It is a great privilege to join in this tribute of respect to the Ambassador of France. It has been his high privilege to represent his noble and heroic nation in the capital of the greatest of the neutral nations during one of the stormiest crises of human history. It is little

to say that he has done so in a manner that has not only worthily represented France, but has never at any time abused the hospitality of the people to whom he is accredited.

We would welcome the French Ambassador, even if his personal merits were less than they are, because he is the representative of that country, which of all foreign nations is the first in the affections of the American people. Our country has always been and is today under an immeasurable debt to France. This obligation is a commonplace of our history, and I refer to it only to make one suggestion. A possible disadvantage of this enthusiastic celebration of Lafayette's birthday, if it have any, lies in this, that the glamour of his youth and the romantic splendour of his career serve to obscure the great debt which America owes to other illustrious Frenchmen of that epic period, many of whom, as Rochambeau and De Grasse, are familiar to Americans by name, but some of whom, like the great Foreign Minister of France, Vergennes, or like Beaumarchais, who helped to send the first indispensable aid of arms and munitions to our armies, are little known. Above all, our admiration for Lafayette should not obscure the services of those great philosophic thinkers of France of the eighteenth century—

Montesquieu, Diderot, Voltaire, and Rousseau, and many others, whose hatred of oppression found so great a reflex in our Declaration of Independence.

In now returning to my native land after an absence of two months in England and France, I take this first occasion to express my most grateful appreciation of the overwhelming courtesy with which I was received in both countries. I do not regard this generous welcome as merely a recognition of the little I was privileged to do for their cause, but simply as a method that England and France chose to recognize that very large group of Americans, of whom I was but one, who disdained in the greatest moral crisis of civilization to be intellectually or morally neutral.

You have asked me to respond to the toast of "France." What a noble and inspiring theme, and how utterly beyond any power, either of the spoken word or the printed page, to do full justice! To any one who has been privileged, as I was, to have the spiritual revelation of seeing that great country transfigured in its noble fight for the basic principles of civilization, any words of praise seem pitifully inadequate.

When I am at a loss for any words to voice a sentiment, I always recur to the most universal

genius that the world has yet produced, our own English Shakespeare, of whom I like to think—although it is little more than conjecture—that while his father was English, as his name implies, and belonged to that sturdy yeomanry "whose limbs were made in England," yet that his mother, with the beautiful name of Mary Arden, may have had some French-Norman blood in her veins, which contributed something to that clarity of expression and exquisite refinement of thought which so pre-eminently characterize the greatest of all poets.

I looked into my Shakespeare to find what the great poet had said of a soldier of France, and in *King John* I found these lines, which I think make the best response to the toast which the committee has done me the great honour to assign me. He says:

> France, whose armour conscience buckled on,
> Whom zeal and charity brought to the field
> As God's own soldier!

What nobler tribute could an English poet pay to the immemorial enemy of England than to call a champion of France "God's own soldier"? And I, who have seen these soldiers in the trenches on the far-flung battle line from Verdun to Rheims,

can testify that, from the humblest *poilu* up to the great Commander-in-Chief, whom it was my exalted privilege to meet at headquarters, they are truly, in their willingness to lay down their lives for France and its cause, "God's own soldiers." They solved a problem for me. I once wondered whether it was Napoleon who made the Grand Army, or the Grand Army, Napoleon. Now I know that the great conqueror was the product of the soldiers of France.

The decision of France to align itself with Russia in defence of Serbia was to my mind one of the most heroic decisions that any nation ever reached. France knew she would have to bear the immediate brunt of the attack. She knew she had only 600,000 immediately effective soldiers to face over 800,000 of the best-equipped soldiers in the world. She knew that not merely did this disparity exist in numbers, but a graver disparity existed in time. For political reasons France could not mobilize before August 1, 1914, while Germany had been quietly mobilizing at least seven days before, as is shown by the letter of the Kaiser to King George, in which he stated that on August 1st he was stopping his troops "by telephone and telegraph from crossing into France." It is thus clear that while Germany was largely,

if not completely, mobilized and ready for the advance on August 1st, France was then only beginning to call its reserves to the colors. This advantage in time of mobilization was a serious, an almost fatal handicap. Yet fully conscious of it, France, without counting the cost, without vacillating or hesitating for a moment, with no direct interest whatever in Serbia, knowing that the burden of the attack would fall upon her and that her very existence depended upon the immediate outcome; that the nation about to attack her was the first military power of the world and almost twice as great in population, and even greater in the equipment of arms, never hesitated, but immediately, when the first cloud arose upon the horizon, took its side with Russia in defending the right of little Servia to live as an independent nation. Thus France and Russia stood from the very beginning of the crisis of 1914 for the great principle of reason and justice in international controversies.

If that attitude were heroic, what must be said of the decision of that great commander who, on the 28th of August, took upon his broad shoulders the exclusive and supreme risk of retreating to the line of the Marne, knowing that if he failed and his army lost its *morale* in the retreat, his place

in history and his fate might be more ignominious than that of Bazaine. With the Fabian tactics of Washington and with the same superb moral courage, he slowly retreated, and when he finally turned and faced his powerful opponent upon the Marne, his forces did not exceed, even with his reserves, 1,000,000 men, while opposed to him were at least 1,500,000 men, flushed with victory. In a battle, one of the most glorious in all the history of the world, possibly greater in its future consequences than that in which Charles Martel hurled back the Saracens at Tours—France's army, under General Joffré, scored one of the greatest triumphs in history and saved the basic principles of civilization from destruction.

Alas, they paid the cost! I visited a part of the battlefield of the Marne, and only too frequently I would see, in the beautiful golden harvest-fields of France, a little cemetery, and when I read the names over each grave I would often find this tender, beautiful sentiment, that shows the moral grandeur and beauty of France: "*Un enfant de France, mort pour la Patrie.*" ("A child of France, died for his Country.")

I realized then what Miss Aldrich meant in that charming little book, *A Hill-top on the Marne*, when she asked a young French wife, whose

husband had just left to join the colours: "Do you not grieve at losing your husband?" and the young wife bravely replies: "Why, I am but his wife; France is his mother." To Frenchmen the motherhood of France is not a mere verbal affectation or a rhapsody of words. It is a very real fact. When a French soldier dies on the field of battle, it is to those who mourn for him, as though a mother had gathered him forever to her maternal bosom.

It is that spirit of childhood—was it not once said "except ye be as little children"—and the fact that every soldier is a child of his country, that has given France that exaltation of patriotism, as fine as any that the history of the world has ever recorded, which, even more than the generalship of Joffré, Foch, Manoury, and Gallieni, won the great victory in September, 1914. A million men were thus inspired to achieve the miracle of the Marne by decisively defeating the greatest and best-equipped army then existing in the world.

In this connection let me say, in passing, that there is a disposition, not in England and in France, but in this country, to minimize the part that Sir John French's army played on the Marne. I am confident you would never hear a French

General make any such suggestion of depreciation. England gave her whole army to save France, gave it so quickly that in a few days the soldiers that I saw marching by night through the streets of Winchester, and who had seen the sun set upon the hills of Hampshire, saw it rise on the hills of Normandy. Relatively small in numbers, it was superb in equipment and great in spirit. That army, fighting a brave rear-guard action, helped Joffré to bring back his army to the line of the Marne without undue haste or any demoralization. No Frenchman would suggest that the victorious army of the Marne did not owe a proportionate share of the immortal glory of that battle to that little but brave contingent of Englishmen who, under General French, did all that the great Commander-in-Chief asked them to do.

While challenging the justice of this criticism, let me in passing take issue with another statement intended for American consumption. Before I left England I read an interview, given to the press by a Judge Nippert of Cincinnati. I do not know who Judge Nippert is. Indeed, I never heard of him before, but that is probably due to my ignorance. At any rate, Judge Nippert (after bathing in the sunshine of the Kaiser's presence) said that from the German trenches before Rheims he could

see every tile on the Cathedral—that ancient cradle of Christianity in France, and as sacred to France as Westminster Abbey is to England,—and added that the structure was still "intact and still used for the purposes" of a church. The clear intimation was that it had suffered no injury and that not even a tile had been destroyed. If Judge Nippert could see each tile of the Rheims Cathedral from the German trenches, he should at once consult either an oculist or a psychologist, for he is either the most far-sighted man in the records of ophthalmology or he possesses an imagination at which even a psychologist like Münsterberg would marvel. His vision is the more extraordinary as there is not and never was a tile on the Cathedral. The efficiency of German spy glasses may thus be measured by the fact—of which the literature of this war has already given voluminous proof—that it is capable of seeing the things which are not only invisible, but do not even exist.

It was about a month ago today that I stood in the Cathedral of Rheims, when shells were even then falling every five minutes into the city, in which there were still left about 20,000 civilians. I saw a hole in the roof made within two weeks of my visit there, caused by a shell which barely

missed almost the last of the noble thirteenth-century stained-glass windows of that great Gothic treasure house, the greatest, perhaps, in all the world. I saw the splendid Gothic tracery of its roof, its beautiful carvings, its noble arches mutilated beyond all possible repair. While it is true that the Cathedral as a skeleton still stands, and may be structurally restored, yet it can never completely regain its glorious beauty mellowed by so many ages. It is closed to all sacred uses as a church, denuded of its priceless contents, its choir stalls destroyed, and the only thing left in the interior is the flag of France, which still floats proudly and defiantly from one of its pillars.

In this connection let me nail another statement of the overworked German press bureau. The German Admiralty has consistently claimed that it sunk the British dreadnought, the *Warspite*, in the battle of Jutland. About two months ago I inspected the *Warspite* and it was then receiving its finishing touches of fresh paint. It is afloat and very much alive. A new war fund should be started to distribute among official German press agents copies of the very unveracious biography of George Washington written by Parson Weems, for there they can read the story of the cherry tree, which while in itself untrue, yet illustrates the

value of truth and the folly of taking liberty with the facts.

I went to Verdun, now the most heroic place in all the world. Has there ever been a battle in all history comparable to it in magnitude and moral grandeur? Within a few days, the contending armies will have fought continuously for two hundred days and nights, and, I may say to you, without disclosing the source of my information, that the casualties at Verdun a month ago exceeded 800,000. Like a stone wall the French *poilu* has stood for nearly two hundred days at this eastern gateway of France in the most desperate battle of history, and he can still say to a brave and powerful invader: "Thus far and no further; and here shall thy proud waves be stayed."

It is such immortal valour as that displayed by friend and foe at Verdun that makes of war a stupendous moral paradox. The chief reason why the soldier will ever be a godlike hero in the eyes of men is that, rising above the selfish commonplaces of this working-day world, he is willing to give the most that he can, his life, for the people whom he loves, or the cause in which he believes. Higher than this ideal man cannot reach, for the spiritual leader of our race could do no more than lay down His life for others.

It is this that assimilates every soldier, who falls upon the field of battle, to the great Martyr, and which gives infinite and unfading beauty to Thorwaldsen's Lion of Lucerne. The brave Swiss guard, whose death it commemorates, were not inspired by patriotism, for they were aliens, but by simple fidelity to their cause and calling, "even unto death." The paw of the lion, resting on the Bourbon lilies in the dark bosom of the everlasting hills, is the artist's symbol of this undying truth.

It is this consideration which makes a battlefield like that of Verdun holy ground, for to countless thousands of men its surrounding hills have proved a Calvary; its fields, where thousands of men have poured out the blood of their gallant hearts, may reverently be likened to a Garden of Gethsemane, in which countless heroes have felt the sweat "like unto drops of blood."

The streets of Verdun, in which when I traversed them shells were still falling, have each been for many a brave hero a Via Dolorosa, which they trod to bloody death. In one single factory in Verdun, suddenly consumed by incendiary shells, nearly three hundred men were burned alive.

It is something to remember that this commercial age has thus given the high water mark to human valour, for neither the past can surpass

Verdun's heroic defense, nor is it conceivable that in the future men can die in greater numbers or more bravely for their country, and this can be said with equal justification of the French *poilu* and the German soldier.

If a better feeling shall ever come to pass between France and Germany, those great historic gladiators in the arena of the world's history, it will arise from the respect which the brave assailants and defenders of Verdun must feel for the fidelity, "even unto death," which has characterized both armies.

I wish I were at liberty to speak of the Commanding General of the garrison of Verdun, but I would violate the regulations under which I was privileged to visit the front if I mentioned him by name. I should like to name him because he is one of the most delightful personalities I met. Such is the democratic comradeship of the French Army that the only thing that distinguished this great leader of a quarter of a million of men from his humblest soldier in the trenches was three stars upon his sleeve; otherwise he was dressed in the regulation blue uniform, with his iron casque on his head. When he went with me through the streets of Verdun, everywhere the soldiers' faces lighted up, and they would say, "Bon jour, mon

General!" And he would give them the same fraternal greeting they gave him.

The General gave us a luncheon in the subterranean recesses of the Vauban citadel, and had a little mimeographed menu-card prepared, which will always be one of my most prized possessions. I asked him if he would write a sentiment on the back of it. This was his gracious response:

"In remembrance of your very kind visit to Verdun, I take this opportunity to assure you of my admiration and sympathy for your great and noble country."

On this menu was a little design representing the Gallic cock crowing from the battlements of Verdun. When I saw it, I thought not only of the justification for that note of triumph (because I can assure you that the battle of Verdun is as good as won), but I thought of a subtler suggestion.

I think one of the noblest dramatic allegories ever written is by a French writer, Rostand, and its title is "Chanticleer." You remember "Chanticleer" represents the noble idealist—and what has the Frenchman ever been if not an idealist, not merely a dilettante idealist, but one willing to sacrifice at any time his life for his ideals?

I do not know whether Rostand intended to typ-

ify France in his "Chanticleer"—perhaps the French Ambassador can enlighten me—but it seemed to me, as I reread this noble allegory a few days ago, that this brave and gentle idealist symbolized France. Perhaps in his generous enthusiasm the Gallic cock, like Chanticleer, vainly believes that he causes the sun to rise, and yet France may claim the justifying achievement that France, as Chanticleer, has often proclaimed the reddening morn of democracy.

Chanticleer believes that his morning cry drives black night and the birds of darkness away. He says, speaking of his cry:

> That cry which rises from the earth is such a cry of love for the light, such a deep and frenzied cry of love for the golden thing we call the Day, and that all thirst to feel again! When I feel that vast call to the Day arising within me, I expand my soul to make it more sonorous by making it more spacious, that the great cry may still be increased in greatness; before giving it I withhold it in my soul a moment; then, when, to expel it, I contract my soul, I am so convinced of accomplishing a great act, I have such faith that my song will make night crumble like the walls of Jericho, that, sounding its victory beforehand, my song springs forth so clear, so proud, so peremptory, that the horizon, seized with a rosy trembling, obeys!

Such is the spirit, such the history of France!

It was my great privilege to talk with many prominent statesmen and soldiers in England, and in France I broke bread with three distinguished Generals of the French Army, Gouraud, Lasson, and Dubois, and as the crowning courtesy the French Government paid me, I was given a half hour with General Joffré. I am not permitted to repeat what he said; it would not be fair to him, although nothing that he did say could be other than pleasing to this audience. He is one of the most modest men that God ever made. I stood in his room and awaited his coming with a thrill of expectation, and then this great, splendid figure of a man, without any pomp or circumstance, with neither sword nor decoration, unattended by officers, came in alone and welcomed me with a gracious smile, and it seemed to me, as I stood in the presence of that modest, silent, well-poised General, that I beheld a reincarnation of George Washington. Whether he will resemble Washington, the administrator and statesman, remains to be seen, but the resemblance of the Hero of the Marne to the Lion of Trenton as a soldier is unmistakable.

I am satisfied that Joffré and his companions-in-arms feel, with complete sincerity, that they have this war for civilization won. They have passed the crisis of a titanic conflict. They drove

back the invader at the Marne. They have shown at Verdun that they could repel the most terrific onslaught that history has recorded, and on the north and south of the Somme they have demonstrated by "the arduous greatness of things done" that they can successfully attack. There, from the first of July to the present hour, in more than two months of almost continuous fighting, while there have been a few temporary reactions, the progress eastward of the Allies has been steadily maintained. And if you could have seen, as I have, the hilly terrain of the battle of the Somme, you would realize that it was no mean achievement to drive back steadily from day to day a well-prepared and very brave enemy as many miles as they have. It shows that they have gained the upper hand in a stupendous struggle, and in that mastery the promise of ultimate success rests.

While walking the streets of Verdun with Owen Johnson, the well-known American novelist, a suggestion occurred to us, which I pledged myself to communicate to the first American audience I should address on my return home. France has generously recognized the aid and assistance which individual Americans have rendered her cause in this war; but there is one thing we could do, which Frenchmen would, I think, especially

appreciate. Let us erect in Verdun a memorial that shall express the admiration of America for the splendid valour of France.

How better could we reciprocate the many noble gifts that France has made to America, such as the Bartholdi statue in the great harbour of New York? The memorial should be a noble one as befits the subject, for no art could do full justice to the immortal valour of the French soldiers at Verdun.

These blue-grey coated men, wearing a steel casque like Cromwell's "round heads," will have a place in history nothing undervalued to those who followed Napoleon at Rivoli, Arcola, Marengo, Jena, Austerlitz, Friedland, Borodino, Leipzig and Waterloo. Equal in undying courage to the "old guard" of the Grand Army, the poilu yet differs in his modest reticence, his perfect discipline, his unwearying strength, his inexhaustible faith. France remains what Sir Philip Sidney called her, "that sweet enemy," for all the world, including her enemies, respects the French soldier and nearly all the world loves the poilu as the finest type of martial courage.

If the poilu has proved himself as brave as Hector, then assuredly the French woman has stood in this death struggle erect and radiant as

Andromache and as the Greek heroine, bravely "smiling through her tears." Never did the heroic spirit of the song of the Revolution find nobler expression than at the banks of the Marne, the Aisne and the Somme:

> "Allons, enfants de la patrie!
> *Le jour de gloire est arrivé.*"

APPENDICES

APPENDIX I

A DEFENCE OF THE EXECUTION OF EDITH CAVELL

BY ALFRED F. M. ZIMMERMANN, GERMAN UNDER SECRETARY FOR FOREIGN AFFAIRS

MOVED by foreign denunciations of the execution of Miss Edith Cavell, out of which he said Germany's enemies were making capital, Dr. Alfred F. M. Zimmermann, Under Secretary for Foreign Affairs, on October 24, 1915, made the authorized statement to the staff correspondent of the New York *Times* in Berlin.

It was a pity that Miss Cavell had to be executed, but it was necessary. She was judged justly. We hope it will not be necessary to have any more executions.

I see from the English and American press that the shooting of an Englishwoman and the condemnation of several other women in Brussels for treason has caused a sensation, and capital against us is being made out of the fact. It is undoubtedly a terrible thing that the woman has been executed; but consider what would happen to a State, particularly in war, if it left crimes aimed at the safety of its armies to go unpunished because committed

by women. No criminal code in the work—least of all the laws of war—makes such a distinction; and the feminine sex has but one preference according to legal usages, namely that women in a delicate condition may not be executed. Otherwise, man and woman are equal before the law, and only the degree of guilt makes a difference in the sentence for the crime and its consequences.

I have before me the court's verdict in the Cavell case, and can assure you that it was gone into with the utmost thoroughness, and was investigated and cleared up to the smallest details. The result was so convincing, and the circumstances were so clear, that no war court in the world could have given any other verdict, for it was not concerned with a single emotional deed of one person, but a well-thought-out plot, with many far-reaching ramifications, which for nine months succeeded in doing valuable service to our enemies to the great detriment of our armies. Countless Belgian, French, and English soldiers are again fighting in the ranks of the Allies who owe their escape to the activities of the band now found guilty, whose head was the Cavell woman. Only the utmost sternness could do away with such activities under the very nose of our authorities, and a Government which in such case does not resort to the sternest measures sins against its most elementary duties toward the safety of its own army.

All those convicted were thoroughly aware of the nature of their acts. The court particularly weighed this point with care, letting off several of the accused because they were in doubt as to whether they knew that their acts were punishable. Those

condemned knew what they were doing, for numerous public proclamations had pointed out the fact that aiding enemies' armies was punishable with death.

I know that the motives of the condemned were not base; that they acted from patriotism; but in war one must be prepared to seal one's patriotism with blood whether one faces the enemy in battle or otherwise, and in the interest of one's cause, does deeds which justly bring after them the death penalty. Among our Russian prisoners are several young girls who fought against us in soldiers' uniforms. Had one of these girls fallen no one would have accused us of barbarity against women. Why now, when another woman has met death, to which she knowingly exposed herself, as did her comrades in battle?

There are moments in the lives of nations where consideration for the existence of the individual is a crime against all. Such a moment was here. It was necessary once for all to put an end to the activity of our enemies, regardless of their motives; therefore the death penalty was executed so as to frighten off all those who, counting on preferential treatment for their sex, take part in undertakings punishable by death. Were special consideration shown to such women we should open the door wide to such activities on the part of women, who are often more clever in such matters than the cleverest male spy. The man who is in a position of responsibility must do that, but, unconcerned about the world's judgment, he must often follow the difficult path of duty.

If, despite these considerations, it is now being

discussed whether mercy shall be shown the rest of those convicted, and if the life which they have forfeited under recognized law is given back to them, you can deduce from that how earnestly we are striving to bring out feelings of humanity in accord with the commandments of stern duty. If the others are pardoned it will be at the expense of the security of our armies, for it is to be feared that new attempts will be made to harm us when it is believed that offenders will go unpunished or suffer only a mild penalty. Only pity for the guilty can lead to such pardons; they will not be an admission that the suspended sentence was too stern.

Dr. Zimmermann said in conclusion that there was not a word of truth in the report that the soldiers at first refused to shoot Miss Cavell, and then aimed so badly that an officer was forced to give the *coup de grâce.* He stated:

The weakness of our enemies' arguments is proved by the fact that they do not attempt to combat the justice of the sentence but try to influence public opinion against us by false reports of the execution. The official report before me shows that it was carried out according to the prescribed forms, and that death resulted instantly from the first volley, as certified by the physician present.

APPENDIX II

APPEAL OF THE BELGIAN BISHOPS

A Letter Unparalleled in Christian History, Addressed to the Catholic Prelates of Germany.

[Though this much-discussed letter of Cardinal Mercier and the Episcopate of Belgium was known to have been written in November, 1915, its full text remained unknown to the outside world until it was published at Havre on January 14, 1916. The Kaiser refused to allow it to reach the German clergy, and Cardinal Mercier went to Rome and sought to have it forwarded through official channels, but apparently without success.]

NOVEMBER 24, 1915.

To their Eminences the Cardinals and their Lordships the Bishops of Germany, Bavaria, and Austria-Hungary:

As Catholic Bishops, you, the Bishops of Germany on one hand and we, the Bishops of Belgium, France, and England on the other, have been giving for a year an unsettling example to the world.

Scarcely had the German armies trodden the soil of our country than the rumour was spread among you that our civil population was taking part in military operations; that the women of Visé and Liége were putting out your soldiers' eyes; that the populace in Antwerp and Brussels had sacked the property of expelled Germans.

In the first days of August (1914), Dom Ildefonds Herwegen, Abbot of Maria Laach, sent to the Cardinal Archbishop of Malines a telegram in which he begged him, for the love of God, to protect German soldiers against the tortures which our countrymen were supposed to be inflicting on them.

Now it was notorious that our Government had taken useful measures so that every citizen might be instructed in the laws of war; in each commune, the arms of the inhabitants had to be deposited in the communal house; by posters, the population was warned that only citizens regularly enrolled under the flag were authorized to bear arms; and the clergy, anxious to aid the State in its mission, had spread, by word of mouth, by parish bulletins, by posters on church doors, the instructions given by Government.

We were habituated for a century to the rule of peace, and we had no idea that any one, in good faith, could attribute to us violent instincts. We were strong in our right and in the sincerity of our peaceful intentions; and we answered calumnies about "free shooters" and "eyes put out" with a shrug of the shoulders, since we were persuaded that the truth would be known, without delay, of itself.

The clergy and episcopate of Belgium had personal relations with numerous priests, members of religious communities, and Bishops of Germany and Austria; the Eucharistic Congresses of 1909 at Cologne and 1912 at Vienna had given them an opportunity of nearer acquaintance and mutual appreciation. We felt assured that Catholics of the nations at war with our own would not judge us lightly; and, without troubling himself much about the contents of Dom Ildefonds's telegram, the Cardinal of Malines limited

his reply to an invitation to preach gentleness toward ourselves—for, he added, "we are told that German troops are shooting innocent Belgian priests."

From the very first days of August, crimes had been committed at Battice, Visé, Berneau, Hervé, and elsewhere, but we wished to hope that they would remain isolated deeds; and, knowing the very high relations which Dom Ildefonds had, we put great confidence on the following declaration which he sent us on the 11th of August:

> I am informed, at first hand, that formal orders have been given to German soldiers by the military authorities to spare the innocent. As to the very deplorable fact that even priests have lost their lives, I allow myself to bring to your Eminence's attention that, within these last days, the dress of priests and monks has become the object of suspicion and scandal, since French spies have used the ecclesiastical costume, and even that of religious communities, to disguise their hostile intentions.

Meanwhile, the acts of hostility toward innocent population went on.

On August 18, 1914, the Bishop of Liége wrote to Mayor Bayer, Governor of the City of Liége:

> One after the other, several villages have been destroyed; notable persons, among whom were parish priests, have been shot; others have been arrested, and all have protested their innocence. I know the priests of my diocese; I cannot believe that a single one of them would have made himself guilty of acts of hostility towards the German soldiers. I have visited several ambulances, and I have seen German soldiers cared for in them with the same zeal as Belgians. This they themselves acknowledge.
>
> [The entire text of the letter of the Bishop of Liége is appended to the Bishop's appeal. His protest was renewed on August 21st to General Kolewe, who had become Military Governor of Liége; and again, on August 29th, to his Excellency

Baron von der Goltz, Governor-General of the occupied provinces of Belgium, who was lodging at that time in the Bishop's palace at Liége.]

The letter remained unanswered.

In the beginning of September, the Emperor of Germany covered with his authority the calumnious accusations of which our innocent populations were the object. He sent to Mr. Wilson, President of the United States, this telegram, which, so far as we know, has not hitherto been retracted:

> The Belgian Government has publicly encouraged the civil population to take part in this war, which it has been preparing carefully for a long time. The cruelties committed in such a guerrilla war, by women and even by priests, on doctors and nurses have been such that my Generals have finally been obliged to have recourse to most rigorous methods to chastise the guilty and to prevent the sanguinary population continuing its abominable, criminal, and odious deeds. Several villages and even the city of Louvain have had to be demolished (excepting the very beautiful Hotel de Ville) in the interest of our defence, and for the protection of our troops. My heart bleeds when I see that such measures have been made inevitable and when I think of the numberless innocent people who have lost home and goods as a consequence of those criminal deeds.

This telegram was posted up in Belgium, by order of the German Government, on September 11th. On the very next day, September 12th, the Bishop of Namur demanded to be received by the Military Governor of Namur, and protested against the reputation His Majesty sought to give to the Belgian clergy; he affirmed the innocence of all the members of the clergy who had been shot or maltreated, and

declared that he was ready himself to publish any culpable deeds which might be proved.

The offer of the Bishop of Namur was not accepted and no answer was made to his protestation.

Thus calumny was able to pursue its course freely. The organ of the Catholic Ventre rivalled the Lutheran press; and the day when thousands of our fellow-countrymen, ecclesiastics, and laymen, of Visé, Aerschot, Wessemael, Herent, Louvain, and twenty other places, all as innocent of acts of war or cruelty as you and we, were taken off as prisoners and passed through the railway stations of Aix la Chapelle and Cologne, and, for mortal hours, were given over as a show to the unwholesome curiosity of the Rhenish metropolis, they had the grief to know that their Catholic brethren had vomited over them just as many insults as did the Lutherans of Celle, Soltau, or Magdeburg.

Not one voice was lifted up in Germany to take the defence of the victims.

The legend which was transforming innocent into guilty persons and crime into an act of justice thus became accredited, and on May 10, 1915, the *White Book*—an official organ of the German Empire—dared to adopt it on its own account, and to circulate in neutral countries these odious and cowardly falsehoods:

> There is no doubt that German wounded have been stripped and finished, yes, and frightfully mutilated by the Belgian population, and that even women and young girls have taken part in such abominations. Wounded soldiers have had their eyes put out, their ears, nose, fingers, and sexual organs cut off, or their bowels opened; in other cases, German soldiers have been poisoned, hanged to trees, have had boiling liquid

poured over them, and been sometimes burned, so that they have endured death in atrocious pain. Such bestial proceedings of the population not only violate obligations expressly formulated by the Geneva Convention concerning the attention and care due to the wounded of an enemy army, but they are contrary to the fundamental principles of the laws of war and humanity.

Put yourselves for a moment in our place, dear brethren in the faith and priesthood.

We know that these shameless accusations of the Imperial Government are, from one end to the other, calumnies—we know it and we swear it.

Now, your Government invokes for its justification witnesses that have been subjected to no check and to no cross-examination.

Is it not your duty, not only in charity, but in strict justice, to enlighten yourselves, to enlighten the faithful of your flocks, and to furnish us with the occasion to establish judicially our innocence?

You owe us this satisfaction in the name of Catholic charity which dominates national conflicts. You owe it to us—today—in strict justice, because a committee, covered by at least your tacit approbation, and composed of all that is most distinguished in politics and science and religion in Germany, has undertaken the patronage of the official accusations and confided to the pen of a Catholic priest, Professor A. J. Rosenberg of Paderborn, the task of condensing them in a book entitled *The Lying Accusations of French Catholics against Germany*, and has thus put on the back of Catholic Germany the responsibility of the active and public propagation of the calumny against the Belgian people.

When the French book, to which German Catholics

oppose their own, saw the light, their Eminences Cardinal von Hartmann, Archbishop of Cologne, and Cardinal von Bettinger, Archbishop of Munich, felt it necessary to address to their Emperor a telegram in these words:

> Revolted by the defamation of the German Fatherland and its glorious army contained in the book, *The German War and Catholicism*, we have the heartfelt need of expressing our sorrowful indignation to your Majesty in the name of the whole German episcopate. We shall not fail to lift up our complaint even to the Supreme Head of the Church.

Very well, Most Reverend Eminences, Venerated Colleagues of the German episcopate, in our turn, we Archbishops and Bishops of Belgium—revolted by the calumnies against our Belgian country and its glorious army, which are contained in the *White Book* of the Empire and reproduced in the German Catholics' answer to the work published by French Catholics—we feel the need of expressing to our King, to our Government, to our army, to our country, our sorrowful indignation.

And that our protestation may not run counter to yours, without useful effect, we ask you to be willing to aid us to institute a tribunal for searching inquiry of evidence and counter evidence. In the name of your official tribunal, you will appoint as many members as you desire, and as it pleases you to choose; we will appoint as many more, three for examination, one each side. And we will ask of a neutral State—Holland, Spain, Switzerland, or the United States—to appoint for us a "superarbiter" who will preside over the operations of the tribunal.

You have taken your complaints to the Sovereign Head of the Church.

It is not just that he should hear only your voice.

You will have the loyalty to aid us to make our voice heard also.

We have—you and we—an identical duty, to put before His Holiness tried documents on which he may be able to base his judgment.

You are not ignorant of the efforts we have made, one after another, to obtain from the power which occupies Belgium the constitution of a tribunal of investigation.

The Cardinal of Malines, on two occasions—January 24, 1915, and February 10, 1915,—and the Bishop of Namur, by a letter addressed to the Military Governor of his province, April 12, 1915, both solicited the formation of a tribunal to be composed of German and Belgian arbiters in equal number and to be presided over by a delegate from a neutral State.

Our efforts met with an obstinate refusal.

Yet the German authority was desirous to institute investigations, but it wished them to be one-sided—that is, without any judicial value.

After it had refused the investigation demanded by the Cardinal of Malines, the German authorities went into different localities where priests had been shot and peaceful citizens massacred or made prisoners, and there—on the depositions of a few witnesses taken haphazard or selected discreetly, sometimes in presence of a local authority who was ignorant of the German language and thus found himself forced to accept and sign blindly the minutes made—it believed itself authorized to come to conclusions which were afterwards to be presented to the public as results of cross-examinations.

The German investigation was carried out in November, 1914, at Louvain, in such conditions. It is, therefore, devoid of any authority.

So it is natural that we should turn to you.

The court of arbitration, which the power occupying our country has refused us, you will grant us—and you will obtain from your Government the public declaration that witnesses can be cited by you and by us to tell all they know, without having to dread reprisals. Before you, under cover of your moral authority, they will feel themselves more secure and be encouraged to bear witness to what they have seen and heard; the world will have faith in the episcopate of our two nations united; our common control will give authenticity to the witness borne and will guarantee the fidelity of the report. The investigation thus carried out will be believed.

We demand this investigation, Eminences and venerated colleagues, before all else, to avenge the honour of the Belgian people. Calumnies put forth by your people and its highest representatives have violated it. And you know as well as we the adage of the human, Christian, Catholic moral theology: "Without restitution, no pardon." ("Non remittitur peccatum, nisi restituatur abletum.")

Your people, by the organ of political powers and of its highest moral authorities, has accused our fellow-citizens of giving themselves up to atrocities and horrors on wounded German soldiers, and particulars are given, as above cited, by the *White Book* and the German Catholics' manifesto. To all such accusations we oppose a formal denial—and we demand to give the proofs of the truth of our denial.

On the other hand, to justify the atrocities com-

mitted in Belgium by the German Army, the political power, by the very title it gave to its *White Book—Die Volkerrechtwidrige Fuhring des Belgischen Volkskriegs* (*The Violation of the Law of Nations by the War Proceedings of the Belgian People*)—and the hundred Catholics who signed the book—*The German War and Catholicism: German Answer to French Attacks*—assert that the German Army found itself in Belgium in the case of legitimate defence against a treacherous organization of free-shooters.

We affirm that there was nowhere in Belgium any organization of free-shooters, and we demand in the name of our national honour, which has been calumniated, the right to give proofs of the truth of our affirmation.

You will call whom you choose before the tribunal of cross-investigation. We shall invite to appear there all the priests of parishes where civilians, priests, members of religious communities, or laymen were massacred or threatened with death to the cry, "Man hat geschossen" (Someone has been shooting"); we shall ask all these priests to sign, if you wish it, their testimony under oath, and then, under penalty of pretending that the whole Belgian clergy is perjured, you will have to accept, as the whole civilized world will not be able to refuse, the conclusions of this solemn and decisive investigation.

But we add, Eminences and venerated colleagues, that you have the same interest as ourselves in this constitution of a tribunal of honour.

For, relying on your direct experience, we know—and we affirm—that the German Army gave itself up in Belgium, in a hundred different places, to pillage and incendiarism, to imprisoning and massacres and

sacrileges contrary to all justice and to all sentiment of humanity.

This we affirm, in particular, for the communes whose names figure in our pastoral letters, and in the two notes addressed by the Bishops of Namur and Liége (respectively on the 31st of October and the 1st of November, 1915) to His Holiness Benedict XV., to his Excellency the Nuncio of Brussels, and to the Ministers or representatives of neutral countries at Brussels.

Fifty innocent priests, thousands of innocent faithful, were put to death; hundreds of others, whose lives have been preserved by circumstances independent of their persecutor's will, were put in danger of death; thousands of innocent people were made prisoners, many of them underwent months of detention, and when they were released the most minute questions to which they had been subjected had brought out against them no evidence of guilt.

The crimes cry to heaven for vengeance.

If, when we formulate these denunciations, we calumniate the German Army, or if the military authority had just reasons to order or permit these acts, which we call criminal, it belongs to the interest and to the national honour of Germany to confound us. Just so long as German justice refuses to listen we keep the right and duty to denounce what, in conscience, we consider a grave violation of justice and of our honour.

The Chancellor of the German Empire, in the Reichstag session of the 4th of August, declared that the invasion of Luxemburg and Belgium was "in contradiction with the prescriptions of the right of nations"; he recognized that, "by passing over the

justified protests of the Governments of Luxemburg and Belgium, he was committing an injustice which he promised to repair"; and the Sovereign Pontiff, intentionally alluding to Belgium—as His Eminence Cardinal Gasparri, Secretary of State, wrote to M. Van den Heuvel, Belgian Minister—pronounced in his Consistorial Allocution of January 22, 1915, this irreformable judgment: "It belongs to the Roman Pontiff, whom God has established as a supreme interpreter and avenger of the eternal law, to proclaim, before all else, that none may, for any reason whatsoever, violate justice."

Yet, since that time, politicians and casuists seek to dodge or enfeeble those decisive words. In their reply to French Catholics, German Catholics engage themselves in like mean subtleties and would fain corroborate them by fact. They have at their disposition two witnesses: one—who is anonymous—saw, so he says, on the 26th of July, French officers in conversation with Belgian officers in the Boulevard Anspach at Brussels; the other, a certain Gustav Lochard, of Rimogue, deposes that "two regiments of French dragoons, the Twenty-eighth and the Thirtieth, and one battery crossed the Belgian frontier on the 31st of July, 1914, and remained exclusively on Belgian territory during all the following week."

Now, the Belgian Government affirms that, "before the declaration of war, no French troop, no matter how small, had entered Belgium." And it adds: "There is no honest witness who can rise up against this affirmation."

The Government of our King, therefore, accuses German Catholics of asserting an error.

Here is a question of prime importance, both politi-

cal and moral, on which we ought to enlighten the public conscience.

If, however, you should refuse to examine this general question, we ask you at least to check off the witness on which German Catholics have relied to decide the question against us. The deposition of this Gustav Lochard touches facts easy to control. German Catholics will wish to free themselves from the reproach of error and will make it a duty of conscience to retract the error if they have let themselves be deceived to our injury.

We are not ignorant that you have a repugnance to believe that regiments, of whom, you say, you know the discipline, the honour, the religious faith, could have given themselves up to the inhuman acts with which we reproach them. You wish to persuade yourselves that it is not so, because it cannot be so.

And, forced by evidence, we answer you—it can be so because it is so.

In face of the fact, no presumption holds.

For you as for us there is but one issue—the verification of the fact by a commission whose impartiality is and appears to all to be beyond dispute.

We have no difficulty in understanding your state of mind.

We, too, respect, believe us, the spirit of discipline and labour and faith of which we have so often had proofs and gathered testimony among your fellow-countrymen. Very numerous are those Belgians now who bitterly confess their deception. But they have lived through the sinister events of August and September. The truth has triumphed over all interior resistance. The fact can no longer be denied—Belgium has been made a martyr.

When foreigners of neutral countries—American s Hollanders, Swiss, Spanish—ask us the way in which the German war has been carried on, and wish us to narrate certain scenes whose horror, in spite of ourselves, we have verified, we soften the impression, feeling how far the naked truth passes the limits of probability.

Nevertheless, when you have been placed in the presence of the entire reality, when you have been able to analyze the causes, some distant, others immediate, of what one of your Generals—before the ruins of the little village of Schallenlez-Diest—called the "tragic error"; when you hear the influences which your soldiers underwent at the moment of their entry into Belgium, and in the intoxication of their first successes, the unlikelihood of the truth will appear to you, as to us, less disconcerting.

Most of all, Eminences and venerated colleagues, let not yourselves be held back by the vain pretext than an investigation would be now premature.

We might say so, indeed, because at the present hour the investigation would have to be made in circumstances unfavourable to ourselves. Our populations, in fact, have been so profoundly terrorized, and the prospects of reprisals is still so sombre for them, that the witnesses we may call before a tribunal which would be German in part would scarcely dare to tell the truth to the end.

But decisive reasons are opposed to all dilatory procedure.

The first, that which will go straight to your hearts, is that we are the weak and you are the powerful. You would not wish to abuse your strength against us.

Public opinion usually goes to him who first possesses himself of it.

Now, whereas you have all liberty to flood neutral countries with your publications, we are imprisoned and reduced to silence. Hardly are we permitted to lift up our voices inside our churches; the preaching in them is checked off, that is, parodied by paid spies; protestations of conscience are qualified revolts against public authorities; what we write is stopped at the frontier as contraband. So you alone enjoy freedom of speech, and of the pen, and if you will, in a spirit of charity and equity, procure a particle of it for Belgians who are accused and give them a chance to defend themselves, it is for you to come to their protection as soon as possible. The old law adage —"Audiatur et altera pars" (Let the other side be heard")—is posted up, they tell us, at the doors of many German courts of law. In any case, for you as for us, it is law for the official judgments of Bishops, and doubtless, too, with you as with us, it circulates in the people's speech under this figure—"Who hears but one bell hears but one sound."

You will say, perhaps: "That is the past, forget it. Instead of casting oil on the fire, try rather to pardon and join your efforts with those of the power occupying your territory—for it only asks to heal the wounds of the unhappy Belgian people."

Oh, Eminences and dear colleagues, add not irony to injustice!

Have we not suffered enough? Have we not been —are we not still—tortured cruelly enough?

It is the past; resign yourselves—forget.

The past! But all the wounds are still bleeding! There is not an honest heart that is not swollen with

indignation. While we hear our own Government saying to the face of the world, "That one is twice guilty who, after violating another's rights, tries still, audaciously and cynically, to justify himself by imputing to his victim faults which he had never committed," our own people can only by doing violence to themselves stifle words of malediction. But yesterday a countryman in the suburb of Malines learned that his son had fallen on the field of battle. A priest consoled him. And the brave man answered: "Oh, for my son, I give him to our country! But they took my eldest son, the cowards, and shot him down in a ditch!"

How do you wish us to obtain from such unfortunates, who have been made to know every torture, a sincere word of resignation and forgiveness, so long as those who have made them suffer refuse them one word of acknowledgment or repentance or promise of reparation?

Germany will not give us back the blood she has made to flow and the innocent lives her armies have mowed down; but it is in her power to make restitution to the Belgian people of their honour, which she has violated or let be violated.

This restitution we demand from you; from you who are the first and chief representatives of Christian morals in the Church of Germany.

There is something more profoundly sad than political divisions and material disaster—it is the hatred which injustice, real or presumed, heaps up in so many hearts made to love each other. As pastors of our peoples, does it not belong to us, is there not incumbent on us, the mission to make easy the dying away of evil feeling and to re-establish on the

foundation so shaken now of justice a union in charity of all children of the great Catholic family?

(The letter closes with specific citations of international laws which the German Empire is stated to have violated in Belgium, and is signed:)

D. J. Cardinal Mercier,
Archbishop of Malines.
Anthony,
Bishop of Ghent.
Gustave, J.,
Bishop of Bruges.
Thomas Louis,
Bishop of Namur.
Martin Hubert,
Bishop of Liége.
Amedee Crooy,
Appointed Bishop of Tournai.

APPENDIX III

AMERICA AND THE ALLIES

[Speech of Viscount Bryce, made at the luncheon given in London by the Pilgrims' Society of that city in honour of the author on July 5, 1916.]

VISCOUNT BRYCE said: My Lords and Gentlemen, I now rise to ask you to drink the health of Mr. Beck. We have not had a luncheon of the Pilgrims since July, 1914, immediately before the outbreak of war, and we then little knew how much we were going to owe to Mr. Beck's countrymen, for the sympathy, the great majority of them have shown in all our efforts and struggles of the past, and for the moral support they have given to the cause which they believe to be a righteous cause. Mr. Beck comes to us not unknown. I hardly feel like introducing him to you because I am sure there cannot be one of you who does not know what admirable work he has done for the Allied cause in his own country. Unsolicited by any one on the part of the Allies, moved only by his strong sense of enthusiasm for what he believed to be right and just, Mr. Beck, shortly after the beginning of the war, set himself to study its causes, and the responsibility for its outbreak, and produced a book on that subject which for the clearness of its

statements and the cogency of its legal arguments has not been surpassed, if indeed it has been equalled, by any writer since the war began. Mr. Beck, as a trained lawyer, and a distinguished member of the great profession which he adorns, saw the necessity of examining the question with the lawyer's eye, and by his clear dispassionate analysis of the facts and circumstances that preceded the war, he has produced his most convincing book, entitled *The Evidence in the Case*, showing upon which side right and justice lie. I dare say you know Mr. Beck has rendered us another service. He has gone to Canada, and by the speeches which he has made there he has roused, if it were possible to rouse, further enthusiasm in Canada for that common cause which Canada has maintained with such splendid valour. There is nothing we can look back upon in these dark and trying days with more satisfaction, and look forward to with more hopeful enthusiasm, than the fact that the public opinion of the United States has been in unison with the public opinion of Canada, and that both of them have given us that moral support which we have prized so highly. Mr. Beck is here on a short visit, in the course of which many of us will, I trust, have opportunities of seeing him in private, and in the course of which he will also visit parts of the country sufficient to enable him to see that the feeling that moves us here in London is no less hearty and ardent everywhere over our country. He will wish when he returns to tell his countrymen what he has seen here, and to tell them in particular why we are resolved all over Britain to prosecute this war with our utmost energy. Mr. Beck will tell you what the sentiment of the United States is, but I think I shall

not anticipate him too far if I say that ever since the merits of the case became known, and not least owing to the efforts that he and others have made to enlighten his and their countrymen, the opinion of all that is best and wisest in the United States has been overwhelmingly with us. Nevertheless, there is in the United States a certain small section of those who call themselves Lovers of Peace, who are from time to time heard suggesting that the terrors and horrors of war are so great that the Powers are bound at all hazards and on any terms to conclude a peace. I received a few days ago, as probably some others among you have done, an address from the United States, signed by a certain number—by no means a large number—of United States citizens, urging upon the people of this country that this war is and will be indecisive, that it will end in what is called "a draw," and that the best thing we can do is to make peace upon any sort of terms, which I suppose means terms which Germany would be willing to accept forthwith. I notice that a large proportion of the small number of signatories of that address came from Germany or had German names, and that fact has some significance. Now, with your permission, I should like to tell Mr. Beck, and I think I may do so on your behalf, why it is that we do not propose to follow this advice, and I feel sure that when he has had opportunities of learning the sentiment of this country, he will carry back to his own countrymen a full and just picture of that sentiment. Now, Mr. Beck, we too whom you see here are also lovers of peace. Speaking for myself, I may say that I have worked for peace inside and outside Parliament for more than thirty years, and I see around me many

others who have done the same. We are as much impressed by the horrors of war as any pacifist in the United States can be. We yield to no one in our desire that these horrors and this bloodshed should cease. Why, gentlemen, there is not one of us who has not lost relatives and friends, who made to him much of the joy and pleasure of life. Why is it then that we think that the time for making peace has not yet arrived? In the first place, gentlemen, this war is not going to be a draw. The Allies are going to win. We believe that they will win not merely because our own troops are daily driving back the Germans in France, not merely because of the brilliant advance which the armies of Russia are making, not merely because of the resistance of the soldiers of France standing like a rock and delivering magnificent counter-charges against the enemy with all the traditional valour that belongs to that great nation. We believe it, and have all along believed it, because we know the balance of strength is with the Allies, that our resources are greater, and that with those greater resources we shall triumph on land, and because we know also that we hold the unshaken and unshakable control of the seas. Then further, we believe that the German Government are not prepared to make peace upon any terms we can possibly accept. The German Government themselves may know that they are going to be beaten, but their people do not yet know it. They have fed their people with falsehoods, keeping them in total ignorance of the true state of affairs. They have endeavoured to beguile and cheer their people by prospects of territorial conquests and annexations, and they are now afraid to acknowledge

the truth, and to disappoint the German people by consenting to peace upon such terms as we and our Allies can accept. Another thing also I will ask Mr. Beck to tell his countrymen. It is this: We in Britain feel that any peace made upon the present position of affairs would not be a real peace. It would be a mere truce. It would be a truce full of disquiet, of constant anxieties and recurring alarms. Preparations for war would continue; and the nations would again be pressed down by the frightful weight of armaments. And, lastly, there is one more reason why peace cannot be made at this moment. It is not for ourselves merely that we are fighting: it is for great principles, to which we owe a duty. We are fighting for those principles of right and humanity which the German Government has outraged and which must at all costs be maintained. We do not hate the German people. We have no desire to break up Germany, nor to inflict a permanent injury upon the German people. Our quarrel is with the German Government. What we desire is to exorcise that evil, spirit which a long régime of Prussianism has been implanting in the Germans. We want to discredit a military caste and a military system which threatens every country in the world, threatens the American countries too, Mr. Beck, your own country as well as ours. Here, in Europe, Germany has not been content since 1871 to be a great and prosperous nation living in peace with other nations beside it. Under the influence of this militant caste and in this military and aggressive spirit there has grown up a desire to dominate the world, and now the only safety for the world is to discredit that spirit and that caste. That spirit has been implanted,

and that caste has obtained control of Germany and imposed its yoke upon the German people, owing to a series of successes in three wars, those of 1864, 1866, and 1870. It is the prestige of those three wars in which Germany was successful that has enabled this caste to rivet its dominion upon the German people, and has filled the German people with this spirit of aggression, and to-day nothing but the destruction of that prestige, and nothing but the discrediting of that caste, will enable the German people to recover their liberty. I hope—and I think we can see already some signs for our hope—that when that spirit has been cast out of Germany and her people have for themselves recovered that liberty for which they were striving before Bismarck's ascendancy began, they will be willing again to live at peace with their neighbours. Meantime, we must go on. We did not enter this war to win anything for ourselves, and all that we want now as the result of the war is security for ourselves and our great oversea Dominions, that Belgium and Northern France should be delivered from the invader, that compensation be made to Belgium for what she has suffered, and that there shall be effected such changes in the East as will prevent the Turkish allies of Germany from ever again massacring their Christian subjects, and will prevent those Turkish allies from being used as the vassals and tools of Germany in that Eastward march which she has planned. Gentlemen, we must go on with the war till Germany has been brought to a frame of mind in which she will accept such terms as these. This battle which we are waging is a battle for those principles of right which were violated when

innocent non-combatants were slaughtered in Belgium, and when innocent non-combatants were drowned in the *Lusitania*. The Allies must press on to victory. They must press on till victory has been won for those principles, and there has been established a permanent peace resting on the sure foundations of justice and freedom. Gentlemen, I ask you to drink the health of our friend, Mr. Beck.

APPENDIX IV

PRESIDENT WILSON'S WAR ADDRESS, APRIL 2, 1917

I HAVE called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making.

On the third of February last I officially laid before you the extraordinary announcement of the Imperial German Government that on and after the first day of February it was its purpose to put aside all restraints of law or of humanity and use its submarines to sink every vessel that sought to approach either the ports of Great Britain and Ireland or the western coasts of Europe or any of the ports controlled by the enemies of Germany within the Mediterranean. That had seemed to be the object of the German submarine warfare earlier in the war, but since April of last year the Imperial Government had somewhat restrained the commanders of its undersea craft in conformity with its promise then given to us that passenger boats should not be sunk and that due warning would be given to all other vessels which its submarines might seek to destroy, when no resistance was offered or escape attempted, and care taken that their crews were given at least a fair chance to save their lives in their open boats. The precautions taken were meagre

and haphazard enough, as was proved in distressing instance after instance in the progress of the cruel and unmanly business, but a certain degree of restraint was observed. The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents. Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium, though the latter were provided with safe conduct through the proscribed areas by the German Government itself and were distinguished by unmistakable marks of identity, have been sunk with the same reckless lack of compassion or of principle.

I was for a little while unable to believe that such things would in fact be done by any government that had hitherto subscribed to the humane practices of civilized nations. International law had its origin in the attempt to set up some law which would be respected and observed upon the seas, where no nation had right of dominion and where lay the free highways of the world. By painful stage after stage has that law been built up, with meagre enough results, indeed, after all was accomplished that could be accomplished, but always with a clear view, at least, of what the heart and conscience of mankind demanded. This minimum of right the German Government has swept aside under the plea of retaliation and necessity and because it had no weapons which it could use at sea except these which it is impossible to employ as it is employing them without throwing to the winds

all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world. I am not now thinking of the loss of property involved, immense and serious as that is, but only of the wanton and wholesale destruction of the lives of non-combatants, men, women, and children, engaged in pursuits which have always, even in the darkest periods of modern history, been deemed innocent and legitimate. Property can be paid for; the lives of peaceful and innocent people cannot be. The present German submarine warfare against commerce is a warfare against mankind.

It is a war against all nations. American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of, but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way. There has been no discrimination. The challenge is to all mankind. Each nation must decide for itself how it will meet it. The choice we make for ourselves must be made with a moderation of counsel and a temperateness of judgment befitting our character and our motives as a nation. We must put excited feeling away. Our motive will not be revenge or the victorious assertion of the physical might of the nation, but only the vindication of right, of human right, of which we are only a single champion.

When I addressed the Congress on the twenty-sixth of February last I thought that it would suffice to assert out neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence. But armed neutrality, it now appears, is impracticable. Because submarines are in effect outlaws when used

as the German submarines have been used against merchant shipping, it is impossible to defend ships against their attacks as the law of nations has assumed that merchantmen would defend themselves against privateers or cruisers, visible craft giving chase upon the open sea. It is common prudence in such circumstances, grim necessity indeed, to endeavour to destroy them before they have shown their own intention. They must be dealt with upon sight, if dealt with at all. The German Government denies the right of neutrals to use arms at all within the areas of the sea, which it has proscribed, even in the defence of rights which no modern publicist has ever before questioned their right to defend. The intimation is conveyed that the armed guards which we have placed on our merchant ships will be treated as beyond the pale of law and subject to be dealt with as pirates would be. Armed neutrality is ineffectual enough at best; in such circumstances and in the face of such pretensions it is worse than ineffectual: it is likely only to produce what it was meant to prevent; it is practically certain to draw us into the war without either the rights or the effectiveness of belligerents. There is one choice we cannot make, we are incapable of making: we will not choose the path of submission and suffer the most sacred rights of our nation and our people to be ignored or violated. The wrongs against which we now array ourselves are no common wrongs; they cut to the very roots of human life.

With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional

duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defence but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war.

What this will involve is clear. It will involve the utmost practicable co-operation in counsel and action with the governments now at war with Germany, and, as incident to that, the extension to those governments of the most liberal financial credits, in order that our resources may so far as possible be added to theirs. It will involve the organization and mobilization of all the material resources of the country to supply the materials of war and serve the incidental needs of the nation in the most abundant and yet the most economical and efficient way possible. It will involve the immediate full equipment of the navy in all respects but particularly in supplying it with the best means of dealing with the enemy's submarines. It will involve the immediate addition to the armed forces of the United States already provided for by law in case of war at least five hundred thousand men, who should, in my opinion, be chosen upon the principle of universal liability to service, and also the authorization of subsequent additional increments of equal force so soon as they may be needed and can be handled in training. It will involve also, of course, the granting of adequate credits to the Government, sustained, I hope, so far as they can equitably be

sustained by the present generation, by well-conceived taxation.

I say sustained so far as may be equitable by taxation because it seems to me that it would be most unwise to base the credits which will now be necessary entirely on money borrowed. It is our duty, I most respectfully urge, to protect our people so far as we may against the very serious hardships and evils which would be likely to arise out of the inflation which would be produced by vast loans.

In carrying out the measures by which these things are to be accomplished we should keep constantly in mind the wisdom of interfering as little as possible in our own preparation and in the equipment of our own military forces with the duty,—for it will be a very practical duty,—of supplying the nations already at war with Germany with the materials which they can obtain only from us or by our assistance. They are in the field and we should help them in every way to be effective there.

I shall take the liberty of suggesting, through the several executive departments of the Government, for the consideration of your committees, measures for the accomplishment of the several objects I have mentioned. I hope that it will be your pleasure to deal with them as having been framed after very careful thought by the branch of the Government upon which the responsibility of conducting the war and safeguarding the nation will most directly fall.

While we do these things, these deeply momentous things, let us be very clear, and make very clear to all the world what our motives and our objects are. My own thought has not been driven from its habitual and normal course by the unhappy events of the last

two months, and I do not believe that the thought of the nation has been altered or clouded by them. I have exactly the same things in mind now that I had in mind when I addressed the Senate on the twenty-second of January last; the same that I had in mind when I addressed the Congress on the third of February and on the twenty-sixth of February. Our object now, as then, is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth ensure the observance of those principles. Neutrality is no longer feasible or desirable where the peace of the world is involved and the freedom of its peoples, and the menace to that peace and freedom lies in the existence of autocratic governments backed by organized force which is controlled wholly by their will, not by the will of their people. We have seen the last of neutrality in such circumstances. We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrong done shall be observed among nations and their governments that are observed among the individual citizens of civilized states.

We have no quarrel with the German people. We have no feeling towards them but one of sympathy and friendship. It was not upon their impulse that their government acted in entering this war. It was not with their previous knowledge or approval. It was a war determined upon as wars used to be determined upon in the old, unhappy days when peoples were nowhere consulted by their rulers and wars were provoked and waged in the interest of dynasties

or of little groups of ambitious men who were accustomed to use their fellow-men as pawns and tools. Self-governed nations do not fill their neighbour states with spies or set the course of intrigue to bring about some critical posture of affairs which will give them an opportunity to strike and make conquest. Such designs can be successfully worked out only under cover and where no one has the right to ask questions. Cunningly contrived plans of deception or aggression, carried, it may be, from generation to generation, can be worked out and kept from the light only within the privacy of courts or behind the carefully guarded confidences of a narrow and privileged class. They are happily impossible where public opinion commands and insists upon full information concerning all the nation's affairs.

A steadfast concert for peace can never be maintained except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants. It must be a League of Honour, a partnership of opinion. Intrigue would eat its vitals away; the plottings of inner circles who could plan what they would and render account to no one would be a corruption seated at its very heart. Only free peoples can hold their purpose and their honour steady to a common end and prefer the interests of mankind to any narrow interest of their own.

Does not every American feel that assurance has been added to our hope for the future peace of the world by the wonderful and heartening things that have been happening within the last few weeks in Russia? Russia was known by those who knew it best to have been always in fact democratic at heart,

in all the vital habits of her thought, in all the intimate relationships of her people that spoke their natural instinct, their habitual attitude towards life. The autocracy that crowned the summit of her political structure, long as it had stood and terrible as was the reality of its power, was not in fact Russian in origin, character, or purpose; and now it has been shaken off and the great, generous Russian people have been added in all their naïve majesty and might to the forces that are fighting for freedom in the world, for justice, and for peace. Here is a fit partner for a League of Honour.

One of the things that has served to convince us that the Prussian autocracy was not and could never be our friend is that from the very outset of the present war it has filled our unsuspecting communities and even our offices of government with spies and set criminal intrigues everywhere afoot against our national unity of counsel, our peace within and without, our industries and our commerce. Indeed it is now evident that its spies were here even before the war began; and it is unhappily not a matter of conjecture but a fact proved in our courts of justice that the intrigues which have more than once come perilously near to disturbing the peace and dislocating the industries of the country have been carried on at the instigation, with the support, and even under the personal direction of official agents of the Imperial Government accredited to the Government of the United States. Even in checking these things and trying to extirpate them we have sought to put the most generous interpretation possible upon them because we knew that their source lay, not in any hostile feeling or purpose of the German people to-

wards us (who were, no doubt, as ignorant of them as we ourselves were), but only in the selfish designs of a government that did what it pleased and told its people nothing. But they have played their part in serving to convince us at last that that Government entertains no real friendship for us and means to act against our peace and security at its convenience. That it means to stir up enemies against us at our very doors the intercepted note to the German Minister at Mexico City is eloquent evidence.

We are accepting this challenge of hostile purpose because we know that in such a government, following such methods, we can never have a friend; and that in the presence of its organized power, always lying in wait to accomplish we know not what purpose, there can be no assured security for the democratic governments of the world. We are now about to accept gage of battle with this natural foe to liberty and shall, if necessary, spend the whole force of the nation to check and nullify its pretensions and its power. We are glad, now that we see the facts with no veil of false pretence about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included: for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights

have been made as secure as the faith and the freedom of nations can make them.

Just because we fight without rancour and without selfish object, seeking nothing for ourselves but what we shall wish to share with all free peoples, we shall, I feel confident, conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play we profess to be fighting for.

I have said nothing of the governments allied with the Imperial Government of Germany because they have not made war upon us or challenged us to defend our right and our honour. The Austro-Hungarian Government has, indeed, avowed its unqualified endorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the Ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States on the seas, and I take the liberty, for the present at least, of postponing a discussion of our relations with the authorities at Vienna. We enter this war only where we are clearly forced into it because there are no other means of defending our rights.

It will be all the easier for us to conduct ourselves as belligerents in a high spirit of right and fairness because we act without animus, not in enmity towards a people or with the desire to bring any injury or disadvantage upon them, but only in armed opposition to an irresponsible government which has thrown

aside all considerations of humanity and of right and is running amuck. We are, let me say again, the sincere friends of the German people, and shall desire nothing so much as the early re-establishment of intimate relations of mutual advantage between us,—however hard it may be for them, for the time being, to believe that this is spoken from our hearts. We have borne with their present government through all these bitter months because of that friendship,—exercising a patience and forbearance which would otherwise have been impossible. We shall, happily, still have an opportunity to prove that friendship in our daily attitude and actions towards the millions of men and women of German birth and native sympathy who live amongst us and share our life, and we shall be proud to prove it towards all who are in fact loyal to their neighbours and to the Government in the hour of test. They are, most of them, as true and loyal Americans as if they had never known any other fealty or allegiance. They will be prompt to stand with us in rebuking and restraining the few who may be of a different mind and purpose. If there should be disloyalty, it will be dealt with with a firm hand of stern repression; but, if it lifts its head at all, it will lift it only here and there and without countenance except from a lawless and malignant few.

It is a distressing and oppressive duty, Gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the

things which we have always carried nearest our hearts,—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

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